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RECORDS  
OF  
PLYMOUTH COLONY.

COURT ORDERS.

VOL. V.

1668—1678.



New Plymouth Colony  
" RECORDS

OF THE

C O L O N Y

OF

NEW PLYMOUTH

IN

NEW ENGLAND.

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EDITED BY

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COURT ORDERS:

VOL. V.

1668—1678.



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## REMARKS.

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**I**N the following pages is included a copy of the fifth manuscript volume of Court Orders of the Colony of New Plymouth, embracing the acts of the General Court and the Court of Assistants of that colony, with grants of land and other entries of a more miscellaneous character, among which will be found a list of the freemen transcribed on the twenty-ninth of May, 1670. All the entries in the volume are in the handwriting of Secretary Morton.

Governor Prence was at the head of affairs in the colony at the time when the volume commenced, on the fourth of June, 1661, and continued so to be until the time of his decease, which event occurred on the twenty-ninth day of March, 1673. During the remaining time covered by the records of this volume, ending on the thirtieth day of October, 1678, Mr. Josiah Winslow was Governor, having been elected to the office on the third day of June, 1673. The period of time included was about ten years.

N. B. S.



## MARKS AND CONTRACTIONS.

A Dash - (or straight line) over a letter indicates the omission of the letter following the one marked.

A Curved Line ~ indicates the omission of one or more letters next to the one marked.

A Superior Letter indicates the omission of contiguous letters, either preceding or following it.

A Caret ^ indicates an omission in the original record.

A Cross x indicates a lost or unintelligible word.

All doubtfuls supplied by the editor are included between brackets, [ ].

Some redundancies in the original record are printed in Italics.

Some interlineations, that occur in the original record, are put between parallels, || ||.

Some words and paragraphs, which have been cancelled in the original record, are put between † †.

Several characters have special significations, namely:—

@, — annum, anno.

ā, — an, am, — curiā, curiam.

ā, — mātrate, magistrature.

ḅ, — ber, — numḅ, number; ·Robt, Robert.

ċ, — ci, ti, — acċion, action.

ċō, — tio, — jurisdicċion, jurisdiction.

ċ, — cre, cer, — aċs, acres.

ḍ, — ḍḍ, delivered.

ḥ, — Trēr, Treasurer.

ē, — committē, committee.

ḡ, — ḡñal, general; Georḡ, George.

h, — chr, charter.

ī, — begīg, beginīg, beginning.

ł, — łre, letter.

m̄, — mm, mn, — com̄ittee, committee.

m̄, — recoḿdaċion, recommendation.

m̄, — mer, — forḿly, formerly.

m̄, — month.

n̄, — nn, — Pc̄n, Penn; āno, anno.

n̄, — Dñi, Domini.

n̄, — ner, — man̄n, manner.

n̄, — on, — mentiō, mention.

ō, — mō, month.

ḡ, — par, por, — ḡt, part; ḡtion, portion.

p, — per, — pson, person.

p, — pro, — pporċion, proportion.

p̄, — pre, — p̄sent, present.

q, — q̄stion, question.

q̄, — esq̄, esquire.

ṛ, — Ap̄, April.

ṣ, — ṣ, session; ṣd, said.

ṣ, — ser, — ṣvants, servants.

ṭ, — ter, — neuṭ, neuter.

ṭ, — capṭ, captain.

ū, — uer, — seūal, seueral.

ū, — abou, above.

v̄, — ver, — seṽal, several.

w̄, — w̄n, when.

y<sup>e</sup>, the; y<sup>m</sup>, them; y<sup>n</sup>, then; y<sup>r</sup>, their; y<sup>s</sup>, this; y<sup>t</sup>, that.

z, — us, — vilibz, vilibus.

ℓ, — es, et, — statutℓ, statutes.

ℓ<sup>c</sup>, &ċ, &c<sup>a</sup>, — et cætera.

viz<sup>o</sup>, — videlicet, namely.

/, — full point.



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# PLYMOUTH COURT ORDERS.

1668—1678.





# PLYMOUTH RECORDS.

## THE RECORDS OF THE COLONY OF NEW PLYMOUTH IN NEW ENGLAND.

[The fifth volume of the Court Orders of the Colony of New Plymouth properly commences on the second folio of the original manuscript volume, the first page belonging to the earliest portion of the preceding volume. The volume is in the handwriting of Secretary Morton, and contains the records of the Court held on the twenty-ninth of October, 1668, and of those held subsequent to that time as far as and including that which was held on the thirtieth of October, 1678, and closes with a list of the freemen of the Colony transcribed on the twenty-ninth of May, 1670. The index at the end of the printed volume has been prepared from that contained in the original by proper enlargement.]

## ACTS AND PASSAGES OF COURT AND GRANTS OF LAND FROM THE YEAR 1668 UNTIL THE YEAR 1678.

PRENCE, GOV<sup>r</sup>.

*\*.At the Generall Court held att Plymouth, in New England, the  
4<sup>th</sup> of June, 1661.*

1661.

4 June.

[\*1.]

**T**HE said Court graunted vnto M<sup>r</sup> Richard Bourne, of Sandwich, a certaine tract of land, lying on the westerly side of Pampaspecite Riuer, wher Sandwich men take alewiues; the land is a longe slipp lying by the riuer syde; for breadth from the riuer vnto the topp of the hill or ridge that runs alonge the length of it, from a point of rokey land, by a swamp called Pametoopeksett, vnto a place called by the English Muddy Hole, but by the Indians Wapoamppeksett. The meddow is that which was called M<sup>r</sup> Leuerich his meddow, as alsoe the other slippes that are aboue, alonge the riuer side vnto a point bounded with two great stones or rockes; alsoe all the meddow lying on the easterlysyde of the said riuer, vnto Thomas Burge, Seni<sup>r</sup> his farme, all which tracts and p̄sells of land, both vpland and meddow, with all and singulare the appurtenances belonging thervnto, is graunted by the Court onto the said Richard Bourne, to him and his heires foreuer. Moreouer, the Court haue graunted vnto the said Richard Bourne, that hee shall haue libertie

1661.

4 June.  
PRENCE,  
Gov<sup>r</sup>.

to take yearly twelue thousand of alewiues att the riuer where Sandwich men vsually take alewiues, to him and his heires for euer.

Likewise the said Court haue graunted vnto the said M<sup>r</sup> Richard Bourne a p<sup>r</sup>sell of meddow lying att Mashpe, the one halfe therof to belonge to him and his heires for euer, and the other halfe to be made vse of and improued by the said Richard Bourne vntill the Court shall see reason otherwise to order.

Moreouer the Court haue graunted vnto the said M<sup>r</sup> Richard Bourne a necke of meddow att Mannamuehcoy, with a little vpland in it, the meddow lying between two little brookes, and the said meddow adjoyning to the vpland called by the Indians Auntaanta; the said p<sup>r</sup>misses, with all and singulare the appurtenances belonging therunto, excepting the one halfe of the meddow att Mashpe aboue excepted, to haue and to hold vnto the said Richard Bourne, to him and his heires and assignes for euer.

1668.

29 October.

[\*2.]

*\*Att the Court of his Ma<sup>tie</sup> held att Plymouth, for the jurisdiction of New Plymouth, the 29<sup>th</sup> of October, 1668.*

BEFORE Thomas Prence, Gov <sup>r</sup> ,	William Bradford,
John Alden,	Thomas Hinckley,
Josias Winslow,	John Freeman, and
Thomas Southworth,	Nathaniel Bacon,
Assistants, &c.	

**A**N order sent vnto Bridgwater as followeth :—

Gentlemen : Vpon the complaint of M<sup>r</sup> Nicolas Birom, in the behalfe of himselfe and some others of your towne that apprehend that they are oppressed by your way of rateing, and p<sup>r</sup>ticularly your putting too much vpon dormant lands, and too little vpon faculties and psonall abillities, notwithstanding that some gett a great p<sup>r</sup>te of their liuelyhood off the townes co<sup>m</sup>mons, to the great wasting and destruction therof, and haue little else to be rated for, the Court haue ordered mee to signify their advice vnto you, that you would consider of some more equall and just way and course, that some men that are on all occations vsefull in the place be not oppressed, and others that liue mostly vpon the spoyle of your co<sup>m</sup>mons, and put not themselues vpon any improuement that might be to publicke benefitt, goe free; and that you would be more obseruant of such orders as the Court haue prouided respecting rateing; that

you may, att least for the future, prevent the like complaints, which if you doe not, the Court wilbe nessesitated to make further enquiry, and improve their authoritie to regulate you therein. But in expectation that you will doe your endeavours for redresse of such injury complained of, wee rest, &c.

1668.

29 October.  
PRENCE,  
Gov<sup>r</sup>.

Whereas, att the request of John Jacob, of Hingham, in the behalfe of himselfe and diners others of his ptenors, the Court haue formerly graunted that there should be a deuision made of the land soñtimes graunted vnto M<sup>r</sup> Hatherley att Accord Pond, this Court ordereth, that in case the ptenors in the said land doe not agree to make deuision therof in a cheaper way, that then the cheife marshall shalbe authorised to impanell a jury to make deuision therof.

Whereas a former graunt hath bine made by the Court vnto Experience Michell, Henry Sampson, Richard Church, and Thomas Little, to looke out for land for their accomodation, and that since the said graunt they haue sought out a peell of land for that end lying att Namassakett Pond, these are to be a memorandum that none shall interpose soe as to deprivue them of the said land vntill the Court haue taken course for the purchase of it, and settling such a proportion therof to the said persons as shalbe by the Court thought meet.

Whereas a certaine tract of land was formerly graunted vnto the children of Clement Briggs, of Weymouth, deceased, lying neare the bounds of Bridgewater; and a graunt alsoe of meddow, if it could be found; and that Remember Briggs, the son of the said Briggs, appeered att this Court, and certified the Court in the behalfe of himselfe and the other children of the said Clement Briggs concerned in the said graunt, that they haue found out a psell of swampey ground lying neare to the said land,—the Court haue settled and doe heerby confeirme twelue aeres therof or therabouts vnto them, to be layed out vnto them by M<sup>r</sup> Constant Southworth and Cornett Robert Studson.

The Court doe alow and aproue of Captaine James Cudworth to be guardian vnto Gorge Russell, the son of Gorge Russell, soñtimes of Namassakesett, in the township of Duxburrow, deceased.

\*In referenee vnto the request of James Lowell for to haue an addition of swampey land neare vnto his land hee hath in the right of M<sup>r</sup> Nathaniel Souther, the Court haue ordered, that M<sup>r</sup> Constant Southworth and Cornett Studson shall view the said land, and allow him twelue aeres therof, besides that which hee hath alreddy graunted vnto him with Phenias Pratt.

[\*3.]

The Court haue graunted libertie vnto the Gov<sup>r</sup>, M<sup>r</sup> Thomas Prence, to exchange fifty aeres of land adjoining to his land on the southsyde of the brooke that falls out of Tuspaquins Pond.

1668.

29 October.  
PRENCE,  
Gov<sup>r</sup>.

Likewise that incase it may be purchased, that a competencye of land be graunted and reserved therabouts or neare vnto it, for the vse of the minnistry att Namassakett.

Att this Court Thomas Faunce appeared in the Court, and being of full age was taken notice of by the Court, and owned and acknowledged to be the right heire apparent to the lands of John Faunce, Seni<sup>r</sup>, so<sup>m</sup>times of Plymouth, in New England, deceased.

In answare vnto a letter from Phillip, the sachem of Pocanokett, &c, by way of petition, requesting the Court for justice against Francis Wast, for wronge done by him to one of his men about a gun taken from him by the said Wast, as alsoe for wronge done vnto some swine of the said Indians, the Court haue ordered the case to be heard and determined by the celect men of Taunton, and incase it bee not by them ended, that it be refered vnto the next March Court att Plymouth to be ended.

At this Court an order was directed to Clement Kinge, the constable of Marshfield, to require and to take into his custody certaine goods attached of Captaine Thomas and his son William Thomas, and to dispose of them according to his first order.

6 June, 1668.

Wee, whose hands are vnderwritten, being su<sup>m</sup>oned by the constable to appeer att Robert Jones, in Rehoboth, by reason of a prouide<sup>n</sup> of God by a sudden death of an Indian, to witnes our apprehension how hee came by his end., viz<sup>d</sup>:—

STEVEN PAINE, Juni<sup>r</sup>,  
JOSEPH PECKE,  
SAMUELL PECKE,  
SAMUELL CARPENTER,  
JONATHAN BLISSE,  
JOHN ALLIN, Juni<sup>r</sup>,  
ROBERT MILLER,  
THOMAS READ,  
WILEAM CARPENTER,  
NICHOLAS WEYMOUTH,  
SAMUELL LUTHER,  
OBADIA WHEATON.

Wee, whose names abouewritten, both by testimony of John Jones and an Indian boy that was present when the Indian came by his death, testifyeth, that the Indian going vp vpon a logg, and seting his foot vpon the first raile,

the raile broke, and hee fell downe, and his head came first to the ground; and haueing serched him, wee find his necke broke, and his wrist; and by our best apprehensions doe judge that according to the testimony that wee haue had, soe hee came by his end.

ꝑ me,            GORG KENDERICK,  
Constable of Rehoboth.

1668.

22 October.  
PRENCE,  
Gov<sup>r</sup>.

\*The Verdict of the Coroners Inquest concerning the Death of Isacke Robinson, Juni<sup>r</sup>, late of Barnstable, lately deceased suddenly at Sacconessett.

[\*4.]

Wee, the jury of enquest appointed to view the corpes of Isacke Robinson, Juni<sup>r</sup>, doe apprehend, according to view and testimony, that the meanes of his death was by going into the pond to fetch two geese; the pond being full of weedy grasse, which wee conceiue to bee the instrumentall cause of his death, by being intangled therein.

ANTHONY ANNIBLE,  
HENERY ROWLEY,  
JOHN CHIPMAN,  
JOHN HOWLAND,  
JOHN O'TTIS,  
NICHOLAS NORTON,  
SAMUELL HINCKLEY,  
JOHN HINCKLEY,  
ENCREASE CLAPP,  
ROBERT PARKER,  
MATHEW MAHEW,  
JOHN MANTER,

} sworne.

The sume of thirty shillings is alowed by the Court vnto Captaine Southworth, for his charges, being a comissioner, and goeing to Boston on that occasion in the behalfe of the collonie this yeare.

The Court taking notice of the goodnes of God to vs in the continuance of our ciuill and religious liberties, the generall health that wee haue enjoyed, and that it hath pleased God in some comfortable measure to blesse vs in the fruites of the earth, doe conceiue that these and other fauors doe call vpon vs for returnes of thankfulness to the Lord, whoe might justly haue dealt otherwise with vs, and therefore that wee may be joynt in this our sacrifice, doe propose vnto the seuerall congregations of this gouernment, that the 25th day of

A copy of this was sent speedily to the seuerall congregations of this gouernment.

1668.

29 October.  
PRENCE,  
Gou<sup>r</sup>.

Nouember next, which wilbe y<sup>e</sup> fourth day of the weeke, to be kept as a sollemne day of thanksgiueing with respect to his goodnes in the p̄ticulares abouemensioned, and what p̄ticulare places and psons may propose to them selues as causes of thankfulnes.

Att this Court the counsell of warr, being together, ordered, that Mr Joseph Tilden be discharged from bearing armes as a comon soldier, haucing soñtime since bine a comission officer of the milletary companie of Scittuate.

It was att the same tūne ordered likewise by the counsell of warr in reference vnto Ezekiell Mayne, of Scittuate, that wheras there doth appeer a willingnes in the milletary companie of Scittuate, that in regard that hee hath but one eye, it is difficult and in soñ respects dangerouse for him to be in armes, and to traine as others, that hee be likewise discharged from bearing armes and training as formerly.

In reference vnto two barrells of tarr taken by John Tilson out of the house of Gyles Rickard, Scuit, without order, which tarr is found vpon examination to belonge to Edward Gray, the Court haue ordered the said tarr, now in the hands of the constable of Plymouth, bee returned vnto the said Edward Gray, and that the said John Tilson pay vnto the said Gray eight shillings for charges about his proucing of his right to the said tarr, and that the said tarr be made by him, the said Tilson, marchantable.

[\*4<sup>b</sup>.]

\*In reference vnto the complaint of Samuell Worden against Edward Crowell and James Maker, for goeing in his absence into his house in the dead time of the night, and for threatening to breake vp the dore and come in att the window, if not lett in, and goeing to his bed and attempting the chastity of his wife and sister, by many laciuous carriages, and affrighting of his children, the Court haue centanced them, the said Edward Crowell and James Maker, to find surties for their good behaiour, and pay each of them a fine of ten pounds to the vse of the collonie, and alsoe to defray all the charge the said Samuell Worden hath bine att in the vindication of his wifes innosensy, or to be seuerally whipt.

And the said Crowell and Maker chose rather to pay the fine and giue bonds for their good behaiour vntill the Court of his ma<sup>tie</sup> to be holden att Plymouth in March next.

Vpon their humble petition to the Court, they remitted vnto each of them the summe of foure pounds of the said fines.

Edward Crowell acknowledgeth to owe vnto our soñ	} <sup>ii</sup> 40 : 00 : 00
lord the Kinge the summe of . . . . .	
And Samuell Ryder the summe of . . . . .	20 : 00 : 00

The condition that if the said Edward Crowell be of good behaiour

1668.

29 October.  
 PRESENCE,  
 G. O. B.

towards our soū lord the Kinge and all his leich people, and appeer att the Court of his ma<sup>tie</sup> to bee holden att Plymouth the first Tusday in March next, and not depart the said Court without lycence; that then, &c.

James Maker acknowledgeth to owe vnto our soū lord	} 40 : 00 : 00
the Kinge the sūme of . . . . .	
Thomas Starr the sūme of . . . . .	} 20 : 00 : 00

The condition that if the said James Maker be of good behavior towards our soū lord the Kinge and all his leich people, and appeer att the Court of his ma<sup>tie</sup> to be holden att Plymouth the first Tusday in March next, and not depart the said Court without lycence: that then, &c. Released.

Att this Court, Phillip Read, being sūmōned, appeered, and being found by sufficient prooffe to be a man of a viciose life, viz<sup>d</sup>, a frequent curser and swearer, and otherwise debauched, and alsoe a non resedent in this gofiment, was required to depart the goūment within ten daies of the date heerof.

Furthermore the said Read continuing in the towne of Plymouth, and being att the ordinary att Plymouth in the time of the siting of this Court, hee together with Richard Dweley behaued themsclues soe rudely and unciually as they were both comitted to jayle, and there remained one night, and the next day released; yett soe as that the said Dweley being vnder bonds for his good behavior according to law for his being convicted of drunkenes the third time, hee, by his said rudenenes both by words and vnciuill behavior, forfeited the said bonds, which was forty pounds; but on his earnest request the Court haue remited it to the sūme of ten pounds.

\*Att this Court, Captaine Nathaniel Thomas and his soune William Thomas, for their affronting Clement King, the constable of Marshfield, in the execution of his office, both by words and actions, were centanced by the Court to be comitted to prison during the pleasure of the Court; and for their abusing the said Clement Kinge by revileing of him and threatening of him, and otherwise puting him to trouble, they were centanced to pay vnto him the sūme of twenty shillings; and likewise to pay vnto John Dingley and John Caruer, to each of them the sūme of fiue shillings, they attending the Court as witnesses in the case. [\*4<sup>e</sup>.]

In reference vnto the complaint of William Bassett against James Skiffe, Jun<sup>r</sup>, for goeing into the house of the said Bassett and takeing away lyquor without order, and otherwise abusing of his house, hee, the said James Skiffe, was centanced by the Court to pay a fine of ten shillings to the vse of the collonie, and to defray the nessesary charges the said Bassett hath bin att in for witnesses, &c, in reference to the case.

In reference to a horse in controversy between Thomas Pope and Richard

1668.

29 October.  
 PRESENCE,  
 GOV<sup>r</sup>.

Willis, which said horse was in the custody of the said Willis, the Court have ordered, that hee, the said Willis, shall looke him vp, or cause him to be looked vp, and deliuered to the constable of Plymouth forthwith.

Vpon the hearing of a difference between Isacke Harris and his wife, the Court saw cause to order that in case the said Harris shall continew to neglect to prouide for his wife that which is nessesary for her comfortable subsistence, (according to his abillitic,) that on further complaint and due proffe therof, a further course shalbee taken by the court to constraime him to doe it.

Mr Josias Winslow, for breaking the kinges peace by strieking Nathaniel Winslow, was fined three shillings and four pence to the vse of the collonie.

Ralph Earle, for affronting the constable of Dartmouth when hee was executing his office, was fined five shillings to the vse of the collonie.

John Cobb, of Taunton, for his turbulent behauior att Plymouth in the time of June Court last past before the date heerof, expressed especially by railing and reuileing against Thomas Linkolne, was centanced to pay a fine of twenty shillings to the vse of the collonie.

Abraham Sampson, Jun<sup>r</sup>, of Duxburrow, for cursing and swearing, fined ten shillings to the vse of the collonie.

Thomas Perrey, being detected of cursing and swearing, and for ruining away from the Court, fined twenty shillings to the vse of the collonie.

Att this Court, Wilłam Nicarson owned a bill of twenty pound in reference to a fine and judgment of the Court, amerced on him as punishment to misdemenor by him comitted, elsewhere expressed in the records of the Court.

Henery Clarke, for stopping the kinges highway by seting his fence to farr on it, was fined five shillings, and required by the Court to remoue his fence from off the said way speedily.

In reference vnto the complaint of William Bassett against John Farmer, Andrew Dauis, and Joseph Washbourne, for opening a certaine box in his house, wherin were his writings, &c, the Court admonished them, and soe they were cleared without other punishment.

[\*5.]

\*An Agreement appointed to be recorded as followeth : —

Plymouth, the 12<sup>th</sup> of Aprill, 1667.

A mutuall agreement between Secretary Nathaniel Morton and his wife Lydia Morton, on the one pte, and Sergeant Wilłam Harlow on the other pte, as followeth : —

The aboucsaid Nathaniel Morton and his wife haucing a desire to haue a child of the said Wilłam Harlows, viz<sup>z</sup>, Nathaniel Harlow, being now neare





1668-9. all others being restrained, they should allow something yearly to the use of the government; and it is conceived that by this may accrue further benefit to vs, in that hereby a greater part of the pork that is now carried by the Indians to Boston, and by them sold there at an under rate, may fall into the hands of some of our people, and soe the prise may be kept up.

2 March.  
PRENCE,  
GOU<sup>R</sup>.

Or by putting something upon such as draw wine and liquors to allow for their licence, and the excise to be taken off, or any other way that the townes may propose; in which it is desired they would exercise their thoughts, and propose some suitable persons in their townes to manage such matters.

In reference to the complaint of some of Taunton against Bridgewater and Rehoboth respecting the ruining of lines and bounds of lands, which hath occasioned controuersies between severall persons in the said townships, the Court have ordered, that some fit persons be appointed out of each of the said townships to run the said lines; which in case they doe not effect to mutuell satisfaction betwixt this Court and the next June Court, that then the Court will see cause to appoint some to doe it; and that in the mean time there be noe trespass upon the timber or swamps of each other bordering upon their lines.

In reference to the request of Peter Collymore concerning a parcel of marsh appertaining to him, lying between the third and fourth cliff at Scituate, forasmuch as the bound marks are lost, and hee doubteth that hee is wronged thereby, soe as some of the neighbours bordering on him may have more then their due, the Court have requested Capt<sup>t</sup> Cudworth, Mr Tilden, and Cornett Studson to repaire thervnto, and to settle matters about the bounds of the same, if they can; if not, that they at the next Generall Court make report to the Court how they find matters in that respect.

In reference to the request of John Louell, of Rehoboth, the Court have ordered, in consideration of his low condition and great necessity of land, that the town of Rehoboth doe accommodate him and others in like necessity with a competency of land to supply their necessity on the land on the northsyde of the said town, according to agreement; and in case they doe it not betwixt this date and the next June Court, the Court will then see cause, on due notice and information thereof, to give him, the said John Louell, liberty to make choice of a place in the said tract of land for his accommodation.

In reference vnto Josias Leichfeld, of Scituate, the Court being certified that hee wilbe of age on the third day of April next ensuing the date hereof, they have requested the major to repaire vnto Scituate on the first of the same month, and to see the said Leichfeld possessed of the land ordered to him by the Court, in reference to a legacy bequeathed to him by John Allin, of

Scituate aforesaid, deceased, and to see Micaell Peirse discharged of his engagement in reference therunto. 1668-9.

Eres of administration was graunted vnto Anna Barstow to adminnester on the estate of Wilłam Barstow, late deceased.

\*Att this Court, Christopher Winter and his daughter, Martha Hewitt, appeared, being bound ouer to the Court on suspiscion of comitting inest with each other; and after strict and p̄ticular examination of them, the Court saw cause to comitt them both to ward for the grounds and reasons following:—

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[\*6.]

The principall grounds moueing the Court to suspend the finall issue of the case respecting Christopher Winter and Martha, his daughter, is because there is great feares that a very hainous and capitall crime hath bine comitted by them, viz', inest of the highest nature, which, although it can not be att p̄sent proued by full and cleare testimony, yett it did very much face vpon them in many respects.

1. In Christopher Winters sending to invite Hewett or Tower to his said daughter some little time after shee conceiued with child, when as not longe before they were both rejected in their suite for her.

2. Because the said Martha will not discover the father of her child, it is an argument that some p̄son is the father of it that shee hath more then ordinary grounds to be vnwilling to disclose.

3. Because of Winters hastening the marriage, and some expressions of his declaring that hee had noe comfort in the match, and his and his daughters carriage that day that they were married.

4. Winters acknowledgiment, that after hee had knowlidge of his said daughters being withchild, — being, as hee said, informed by Hewitt, — hee did not bring them together and enquire into it, nor reprove or beare witnes against her wickednes, as would haue become a father that was innosent.

5. His indulgencie to his said daughter since this wickednes, although knowne formerly to be very auster to his children.

6. His intensions to haue gon for England about the time this cuill began to be taken notice of.

7. His telling of Hewitt that his said daughter was apt to be frighted; and was soe affrighted by himself once, coming late home, that shee fell into a swoond, &c, as the said Hewitt doth testify.

I, Thomas Hewitt, aged sixty yeares or therabouts, testify, that my son, John Hewitt, was att home att my house att the time that Martha, his wife, said that shee had that abuse offered her that shee proued withchild; further, I testify that I went to her father Winters house within one weekes time, as I

1668-9.

2 March.  
PRENCE,  
Gov<sup>r</sup>.

was informed of her being laid; and shee haueing a young child in her lapp, I asked her whoe was the father of it, but shee gaue mee noe answare att that time; her father replyed and said, that question did not belonge vnto mee to aske. Then I asked her if her husband were the father of it; this I did seuerall times before I had an answare of her; her father said that shee might answare mee to that question; and shee answered and said the child was not her husbands; further, her father Winter said that I should know in time and place conuenient whose the child was; and further saith not.

Taken in the Court, attested p me,

NATH: MORTON, Sec<sup>r</sup>.

The testimony of John Hewitt, aged twenty seauen yeares or therabouts, doth testify, that some certaine time after I was marryed, my father Winter, being in discourse with mee and my wife, asked mee of what constitution I was off; I replyed, I was subject to be angry, as well as other men, but did not vsually expresse it in raging tearmes. My father Winter replyed, "My daughter is of a very loueing disposition, but you must haue a care of frightening of her; for," hee said, "I came from the mill, and did but giue her a tapp with my horse rodd, and shee dropped downe in a swoound;" but hee thought shee would haue turned about and throwne soñthing att his head. Further, when my wife was in trauell, my father Winter and I being in a house together by ourselues some distance off from his dwelling house, hee said his daughter had a hard time, and hee feared that the midwife should charge it vpon her now to tell whose the child was; and I, the said Hewitt, replyed, shee would make her tell if shee could. Hee said, if hee had spoken to her, shee would not nor durst not, for shee should tell in time conuenient; and further saith not.

[\*7.]

\*In answare to the petition prefered to the Court by Samuell Fuller, of Plymouth, wherin hee complaineth against Jacob Cook for treaspasing vpon his land att Smeltbrook, the Court haue ordered, that both of them be warned to appeer att the Court to be holden att Plymouth in June next, and that then the case to be heard and determined; and that the said Jacob Cooke be warned in the mean time not further to treaspas on the land in controuersy by takeing wood of from it, &c.

In reference vnto a former graunt of land graunted vnto M<sup>r</sup> Collyare, the Court haue ordered, that hee shall haue fifty acres of land in that tract of land purchased by M<sup>r</sup> Prence and Francis Combe att Namassakett, in any place of it not yett disposed off.

Wiltam Crow, Edward Gray, and Serjeant Tinkham are ordered by the Court to settle the bounds of the Gofūnors land on the which hee now lieth att Plaindealing. 1668-9.

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In reference to the controuersy concerning the ten pounds mensioned in an agreement between M<sup>r</sup> Kanelme Winslow and his brother, M<sup>r</sup> Josias Winslow, bearing date the 14<sup>th</sup> of August, 1668, comitted by mutuall consent of the abouesaid p<sup>t</sup>ies vnto the determination of the Bench, whoe, after serious consideration of the pleas aledged, doe conclude and determine as followeth, viz<sup>s</sup>: that it appeers vnto them that the verdict of the jury in October last did not determine the land controuersy to be the lands of the said Kanelme, but left it as they found it, and therefore the abouemensioned ten pounds not due to be payed by the said Josias vnto the said Kanelme.

In reference vnto a letter directed vnto the Gofū from Bridgwater, therein certifying the proceedings of the said towne concerning John Robinson, the Court, taking notice and approuing therof, haue alsoe further ordered and doe request M<sup>r</sup> William Brett and John Willis, Seni<sup>r</sup>, to take care and paines about his land, which they desire may be lett out for the p<sup>s</sup>ent to the best advantage they can, as alsoe to dispose of the rest of his estate and concerns the best they can, soe as they may conduce to the good of him and his.

In reference vnto the land purchased by M<sup>r</sup> Prence and Francis Combe att Namassakett, the remainder of it vndisposed of, the comonage and proffitts therof the Court haue ordered to belonge vnto the said M<sup>r</sup> Prence and Francis Combe vntill it be otherwise disposed of by the Court, and the charges of the purchase therof payed vnto them by such as it shalbe disposed vnto.

In reference vnto a claime made by Benjamine Bartlett vnto some land in Alkermuse Feild, in the right of M<sup>r</sup> Jonathon Brewster, the Court haue ordered, that William Crow shall lay him out four acres in the said feild, soe as it may be a little prejudiciall to the neighbours as may be.

\*James Cole, Seni<sup>r</sup>, and Mary, his wife, for that the said Mary Cole was taken selling strong liquors to an Indian, contrary to an order of Court prohibiting the same, was fined the sume of five pounds to the vse of the collonie. [\*8.]

James Cole, Seni<sup>r</sup>, and Mary, his wife, for that the said Mary Cole suffered diuers p<sup>s</sup>ons after named to stay drinking on the Lords day, att her house, in the time of publicke worshipp, was fined the sume of three pounds.

James Clarke, Phillip Dotterich, Mary Ryder, and Hester Wormall, for their staying and drinkeing att the house of James Cole, att Plymouth, on the Lords day, in the time of the publicke worship of God, were fined each of them ten shillings to the vse of the collonie.

And Christopher Blacke, for the same default, although not soe faulty, was fined five shillings to the vse of the collonie.

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2 March.  
PRENCE,  
Gov<sup>r</sup>.

Caleb Lumburt, for breaking the Kinges peace in striking of James Gleaghorn, was fined three shillings four pence; and in reference to his hostile carriages towards the said Gleaghorne, forasmuch as hee is recouered of that which might haue proued dangerouse to his life, hee, the said Lumbert, was seriously admonished and warned for the future not to doe soe any more, and cleared of his bonds.

John Bryant, son in law to Stephen Bryant, of Plymouth, for vseing reuileing speeches to Edward Gray as soon as they came out of the meeting on the Lords day, was fined ten shillings to the vse of the collonic.

John Loc, of Marshfeild, for being drunke, fined five shillings.

Wilham Thomas and Samuell Arnold, Junir, for breaking the Kinges peace in striking each other, were fined each three shillings and four pence.

Richard Berrey, Senir, Jedediah Lumbert, Benjamine Lumbert, and James Maker, for smoaking of tobacoco, att the end of Yarmouth meeting house, on the Lords day, in the time of exercise, were fined each five shillings; and for such of them as are absent, and haue not taken order with the Treasurer for the payment of their fines, the Court haue ordered, that the majestrates where they liue shall demand it; and incase of non payment, to warne them by a speciall warrant to appeer att June Court to answare for their neglect.

In reference vnto the p̄sentment of Thomas Lucas, of Plymouth, for abusing of his wife and children, hee appeering in Court and promising reformation, and his wife alsoe appeered att the Court, and testified that since the time the said p̄sentment relates vnto hee hath not abused them as aforesaid, with admonition the said Lucas was cleared of this p̄sentment.

Att this Court, Mary, the wife of Jonathan Morey, and her son, Benjamine Foster, appeered, being summoned to answare a complaint against the said Mary, for that shee, by her erewell, vnnaturall, and extreame passionate carriages soe exasperated her said son as that hee oftentimes carryed himselfe very much vnbesecming him and vnworthyly towards his said mother, both by words and otherwise; yea, soe was her turbulent carriages towards him, as that seucrall of the naighbours feared murder would be in the issue of it; shee, the said Mary, being examined respecting the p̄mises, and owned her fault, and seemed to bee very sorry for it, and promised reformation; the youth, her son, likewise owned with teares his euill behavior towards his mother, which gaue the Court such satisfaction as they passed his fault by with admonition; and in reference to the said Mary Morey, the Court, vpon her engagement of better walkeing, are willing to take further tryall of her, and therefore condecended to lett her son remaine with her vntill the next June Court, and then further to doe in the case as occasion shall require.

*\*At the Court of Election holden at Plymouth the first Day of June, Anno Dom̃i 1669.*

1669.

1 June.  
PRENCE,  
Gou<sup>r</sup>.  
[\*9.]

BEFORE Thomas Prence, Gou<sup>r</sup>,                      Wiltam Bradford,  
John Alden,    Thomas Hinckley,  
Josias Winslow,                                        John Freeman, and  
Thomas Southworth,                                Nathaniel Bacon,  
Assistants, &c.

**M**<sup>R</sup> THOMAS PRENCE was chosen Gou<sup>r</sup>, and sworne.

Mr John Alden,	}	were chosen Asistants, and sworne.
Major Josias Winslow,		
Cap <sup>t</sup> Thomas Southworth,		
Cap <sup>t</sup> Wiltam Bradford,		
Mr Thomas Hinckley,		
Leif <sup>t</sup> John Freeman, and		
Mr Nathaniel Bacon,	}	were chosen Co <sup>m</sup> missioners.
Major Winslow and		
Captaine Southworth		

Mr Thomas Prence the next in nomination.

Mr Constant Southworth was chosen Treasurer, and sworne.

The names of the deputies of the seuerall townes that serued att this Court, and the seuerall adjournments therof, are as followeth:—

Leif <sup>t</sup> Ephraim Morton,	Thomas Huckens,
Robert Finney,	Ensigne Eames,
Mr Constant Southworth,	Anthony Snow,
Cornett Studson,	Phillip Walker,
Isacke Chettenden,	Nicolas Peeke,
Mr Edmond Freeman, Jun <sup>r</sup> ,	Daniell Cole,
Wiltam Harvey,	Jonathan Sparrow,
James Walker,	John Willis,
Thomas Howes,	John Russell,
John Thacher,	Mr James Browne.
John Chipman,	

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PRENCE,  
GOD<sup>h</sup>.  
[\*10.]

\*The Names of the Grand Enquest.

Wiltam Sabin,	} sworne,	Francis West,	} sworne.
Leiftenant Gorg Maeye,		Robert Barker,	
Mr Joseph Tilden,		Jeremiah Hatch,	
Mr Nicholas Tanner,		Benjamin Hammon,	
Steuen Paine, Junir,		John Gibbs,	
Justus Eames,		Jonathan Banges,	
Andrew Ringe,		Shuball Dimacke,	
Samuell Dunham,		Joseph Wilbore,	
John Jenkens,		John Hawes,	
Nathaniel Willis,		John Whelden,	
Nathaniel Winslow,		Daniel Wilcockes,	

Constables of the severall Townes.

Plymouth, . . . . .	Wiltam Clarke, sworne.
Duxbuř, . . . . .	Mr Alexander Standish, sworne.
Scittuate, . . . . .	{ Charles Stockbridge, } sworne. John Vinall, }
Sandwich, . . . . .	Thomas Tupper, Junir, sworne.
Taunton, . . . . .	Israell Deane, sworne.
Yarmouth, . . . . .	Henry Vincent, sworne.
Barstable, . . . . .	Robert Parker, to bee sworne att home.
Marshfeild, . . . . .	{ John Foster, } sworne. Joseph Bent, }
Rehoboth, . . . . .	{ John Pecke, } sworne. Samuell Pecke, }
Eastham, . . . . .	Benajah Dunham, sworne.
Bridgewater, . . . . .	Joseph Bassett, sworne.
Dartmouth, . . . . .	John Cooke, sworne.
Swansey, . . . . .	Jonathan Bosworth.
Middleberry, . . . . .	John Nelson, sworne.

Surveyors of the Highwaies.

Plymouth, . . . . .	{ Gorge Morton, Thomas Cushman, Junir, Benajah Pratt.
Duxbuř, . . . . .	{ John Rogers, Senir, Roger Glass.



Scituate, . . . . .	{	Rodolphus Ealmes, James Doughtey.
Sandwī, . . . . .	{	Thomas Gibbs, Seni <sup>r</sup> , Daniel Winge.
Taunton, . . . . .	{	Edward Rew, James Leonard, Juni <sup>r</sup> .
Yarmouth, . . . . .	{	Edward Sturgis, Juni <sup>r</sup> , John Burgis.
Barnstable, . . . . .	{	John Chipman, Thomas Huckens.
Marshfeild, . . . . .	{	Joseph Bedle, Wilham Maycomber.
Rehoboth, . . . . .	{	Richard Martin, Nicholas Hyde.
Eastham, . . . . .	{	Richard Knowles, Wilham Walker.
Bridgwater, . . . . .	{	Samuell Allin, Joseph Aldin.
Swansey, . . . . .		John Allin, Seni <sup>r</sup> .
‡Middleberry, . . . . .		— Nelson.‡

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\*The Celect Men.

[\*11.]

Celect men of Plymouth,	{	Leif <sup>t</sup> Morton, Serjeant Harlow, Wilham Crow.
Celect men of Duxburrow,	{	Christopher Wadsworth, Samuell Savery, Benjamin Bartlett.
Celect men of Sandwich,	{	Thomas Tupper, Seni <sup>r</sup> , Edmond Freeman, Juni <sup>r</sup> , Wilham Swift.
Celect men of Taunton,	{	Gorge Hall, Walter Dean, Wilham Harvey, James Walker, Richard Williams.

\*Att this Court, the Court graunted that Namassakett shalbe a township, and to be called by the name of Middleberry, and is bounded with Plymouth bounds on the easterly syde, and with the bounds of Taunton on the westerly

[\*12.]

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This addition was graunted att the Generall Court, July 7, 1681.

This recorded more fully in book from 1678 to 1683, p. 34.

This was in reference vnto a former graunt to looke out for land.

This graunt is made void and null, June the 10th, 1670.

syde, and the bounds of Bridgwater on the northerly side or end, and on the southerly side or end to extend six mile from the wading place, and att the end of the said six mile to run east to Plymouth line, and from the said line west to Taunton line; and incase the west line runes to the southward of Taunton line, then to run vntill wee come vp to the southermost pte of Taunton bounds, and then square of north to it. And it is further ordered by the Court, that a competencye of land be prouided and reserued for a minnester within theire township, of such lands as are vnpurchased.

In answare to the request of M<sup>r</sup> John Gorum for the necke of land called Papasquash Necke, the Court haue graunted vnto him one hundred acres therof if it can be purchased of the Indians.

Accommodation of land graunted vnto Thomas Paine, to haue it att Nantasket, with Experience Michell, Henery Sampson, and Thomas Little, if it be there to be had; if not, that hee may haue some elsewhere if hee can find it vndesposed of.

The Court haue graunted vnto Benjamine Church that hee shall haue the land which was soñtimes the land of Wiltam Paybody, lying amongst the freemens land att Taunton Riuer, the which the said Paybody surrendered vp vnto the countrey, exchanged for other land elswher, viz: all the land and right of land which the said Wiltam Paybody had there as an ancient freeman, both layed out and vnlayed out, is now graunted vnto Benjamine Church, which is for full satisfaction for all the right his father, Richard Church, deceased, hath to land in this collonie.

In reference vnto a gift pretended to be *be* giuen by Phillip the sachem vnto James Leanard, Seni<sup>r</sup>, the Court haue graunted that incase hee doe produce a deed of gift from the said sachem for the said land vnder his hand and seale, att the Court to be holden att Plymouth the first Tusday in July next, that then hee shall haue fourscore or a hundred acres of it.

This Court ordered, that Edward Tayler shall and may demanda the sume of forty shillings in the behalfe of his daughter, Mary Tayler, of the estate of John Turner, in the costody of Thomas Huckens, of Barnstable; and the said Thomas Huckens paying the said sume by this order from the Court, this shalbe his discharge.

Memorand: that Anthony Annible be remembred with accommodation of land.

Wheras Robert Parker was orderly chosen by the towne of Barnstable to serue in the office of a constable, and did not appeer to take oath, the Court haue ordered that hee shall appeer before M<sup>r</sup> Hineckley or M<sup>r</sup> Bacon, to take oath, which if hee refuse or neglect to doe, that the towne choose another in

his rone, and returne his name to the Treasurer, that soe his fine may be required.

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PRENCE,  
Gov<sup>r</sup>.

In answare vnto the petition of Abraham Jackson to remite three barrells of tarr forfeited to the countrey by the breach of a law prohibiting the making of tarr, the Court haue ordered, in reference vnto his poor condition and many losses, that hee shall haue seauen bushell of Indian corn payed to him by the Treasurer.

Les of administration is graunted vnto Francis Steuens, Juni<sup>r</sup>, to adminnester on the estate of Francis Steuens, of Rehoboth, late deceased.

Les of administration is graunted vnto Job Crocker, to adminnester on the estate of John Crocker, of Barnstable, late deceased.

Les of administration are graunted vnto John Ormsbey, to adminnester on the estate of Johannah Martin, late deceased.

Forty shillings is remited of the fine of James Cole, in reference to that pte therof which was for selling liquor to the Indians.

Att this Court, Nath Fish appeered, being summoned to answare for raising and denolging a falce and scandulous report on diners psons att Sandwich; hee owning his fault therin, and engaging hee would not doe soe any more, was released.

\*Att this Court, Christopher Winter, allies Grabbam, was indited on suspicion of comitting inest with his daughter, Martha Hewett; hee puting himselfe on legall tryall, the grand enquest found not the bill, and soe hee was released.

[\*13.]

In reference vnto the said Martha Hewett, shee haueing a bastard borne of her body, which was groundedly suspected to be begotten by her said father, though not legally proued, as abouesaid, shee alsoe refusing to confesse the father thereof, for her said whordome was centanced by the Court to suffer corporall punishment by whipping att the post, which according was pformed and executed.

And in answare vnto John Hewett, her husband, his earnest petition and request to be diuorsed from her, the Court, not being fully satisfied soe as to proceed therein, haue referred the case to a further hearing att the Court of his ma<sup>tie</sup>, to be holden att Plymouth the first Tusday in July next, and the said pties to appeer and to produce such euidence as may further cleare the case, and soe for p<sup>s</sup>ent were dismissed.

In reference vnto an attachment serued on a p<sup>s</sup>ell of cedar bolts att the suite of Edward Gray, John Thompson, and Benjamine Bartlett, and in reference vnto the complaint of Nathaniel Thomas, Nathaniel Winslow, Wilham Foard, Juni<sup>r</sup>, John Caruer, Josias Snow, Jacob Dingley, and John

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PRENCE,  
Gov<sup>r</sup>.

Foster, against the said Edward Gray, John Thompson, and Benjamine Bartlett, for vnjust molestation in attaching or causing their goods to be attached, viz<sup>d</sup>, cedare bolts in or neare vnto a swamp or swampes lying northwest or northerly from Moonponsett Pond, on pretence of great damage don vnto to themselues and others, it was agreed by both parties that each one shall beare the charges of this their said processe, and that the cheife marshall shall haue twenty shillings in siluer for his paines about the attachment, to be paid by each party ten shillings, and that those that cut the said bolts shall haue libertie to fetch them away; and soe the controuersy is ended.

Elkanah Johnson and Mr John Gorum engaged before the Court to stand bound vnto the electmen of the towne of Marshfield in the sume of forty pounds, for the appeerance of the said Johnson att the Court to be holden att Plymouth the first Tusday in July next, to answere the complaint of the said electmen, in reference vnto a child layed vnto him by Dinah Siluester.

In reference vnto Francis Wast, his taking an hogg from an Indian neare vnto Mattapoisett, on pretence that that the said Indian had forfeited his hogg by marking of him contrary to order of Court, the Court haue ordered that hee pay the sume of thirty shillings to the said Indian; and wheras hee tooke a gun from the said Indian, that hee speedily returne him his gun againe.

Eres of administration graunted vnto Abigall Dunham, Sen<sup>r</sup>, widdow, to adminnester on the estate of John Dunham, Sen<sup>r</sup>, deceased.

The Court haue ordered that on the one and twentyeth of this instant June, the line shalbe run between the Namassaketts mens land, called the Major's Purchase, and the townes of Marshfeild, Duxburrow, and Bridgewater. Mr Wilham Crow and Gorge Bonum were appointed by the Court to doe it, with John Tompson and Wilham Nelson for the purchasers, and such of the seuerall townshipes as shalbe appointed vpon knowlidge of it; and in case none of the townes shall come, haueing due notice of it, or if coming should refuse to acte, then the other men appointed are to proceed without them, and each towne to beare their proportion of the charge of the ruining of the said line.

\**At the Court held att Plymouth the fift Day of July, Anno 1669.* 1669.

BEFORE Thomas Prence, Esquire, Gour,	William Bradford,
John Alden,	Thomas Hineckley,
Josias Winslow,	John Freeman, and
Thomas Southworth,	Nathaniel Bacon,
Assistants, &c.	

5 July.  
PRENCE,  
Gou<sup>r</sup>.  
[\*14.]

**A**T this Court, John Hewett and his wife appeered, the said Hewett still earnestly requesting a divorce from his said wife, shee haueing bine detected of whordom; but notwithstanding what evidence was produced by them att this Court, the case appeered very difficult in reference to some particulars. The Court haue refered it to the next Court of his ma<sup>tie</sup>, to be holden att Plymouth the last Tusday in October next, for a final determination of the same.

In answare to the petition of Robert Latham, and his daughter, the wife of Isacke Harris, wherein hee complaineth of great neglect of the said Harris in not takeing care for his wifes comfortable subsistence, being departed the gou<sup>ern</sup>ment, and hath left her, with her child, to be burthensom to the said Robert Latham, her father, and that, notwithstanding such order as the Court hath formerly taken, shee is neglected to be supplied with such nessesaryes for her subsistence as is meet, this Court doth order and authorise the celectmen of the towne of Bridgewater, viz<sup>d</sup>, Leif<sup>t</sup> Haward, John Willis, Sen<sup>r</sup>, and John Carey, to take notice of what vizable estate appertaineth vnto the said Isacke Harris, and to take it into their costody, and to improve it for the releife and subsistence of his wife aforsaid, and that they be carefull to keep a due account of their receipt and disbursments on that behalfe.

In reference vnto the complaint of Jehosabath, the wife of John Robins, of Bridgewater, for want of meanes for her subsistence, the Court haue ordered that what estate can be found appertaining to the said John Robins shalbe disposed by the celectmen of the towne of Bridgewater, with the heelp and aduise of M<sup>r</sup> William Brett, for the payment of such debts as the said Robins oweth, and the resedue for the support of him and her and their child.

Liberty is graunted by the Court vnto William Swift to keep an ordinary for the entertainment of strangers att Sandwich.

Libertie is graunted vnto Ralph Allin to keep a ferry att or neare Pocasset for the transporting of passengers to and from Road Iland to the maine;

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and likewise libertie is graunted vnto him by the Court to purchase an hundred acres of land of the Indians, on condition that hee pay the sume of ten pound to the collonie; this land is to be purchased for him by M<sup>r</sup> Constant Southworth, or James Walker, or either of them, being ordered by the Court with himselve to doe it.

Gorg<sup>e</sup> Vaughan is alowed to keep an ordinary for the entertainment of strangers att Middleberry.

[\*15.]

\*In answare vnto a petition prefered to the Court by the towne of Swansey for a necke of land called Papasquash Necke, that it may be graunted vnto them for the promoting of a way of trade in this collonie, the Court haue graunted the said necke of land vnto the said towne for the ends aforesaid, excepting one hundred acres of land graunted vnto M<sup>r</sup> John Gorum by order of Court, and M<sup>r</sup> Browne, John Allin, and Ensigne Smith being ordered by the Court to lay it out soe as it may be as little prejudiciall to his or there interest as may bee.

Further, in answare vnto the said petition, it is ordered and graunted by the Court, that for the accomodateing of more inhabitants in the said township, that all such lands as the Indians can well spare shalbe purchased by Captaine Willett or M<sup>r</sup> Nathaniel Paine, alwaies prouided that the Go<sup>u</sup> be acquainted with such lands before any purchase be made of them; further, that the towne of Swansey shall haue the same priuiledges in receiuing of townsmen into there towne as other townes in this jurisdiction haue; onely, forasmuch as many in our collonie are in want of land, such, being comended to them by this go<sup>u</sup>ment, shalbe supplied by them before any others.

In answare vnto the petition of Wilłam Brewster and Wrastleing Brewster, (two grand children of the Reverend M<sup>r</sup> Wilłam Brewster, deccased,) requesting accomodation of lands, the Court haue granted that incase they, the said Wilłam and Wrastleing Brewster, shall see cause to goe to liue att Swansey, that they be accomodated with lands there, as being such as are comended vnto them by the go<sup>u</sup>ment for that end, as aboue expressed.

The Court haue graunted vnto Anthonie Annible a competent accomodation of land, where M<sup>r</sup> John Howland, John Chipman, and Jonathon Sparrow are graunted land lying on Taunton Riuer neare Teticutt, in the purchase of land that Cap<sup>t</sup> Willett purchased for the countrey if it may be had there; if not, elsewher, if it may be found within this jurisdiction.

In reference vnto the request of James Leanard for a smale necke of land which hee pretended to be giuen him by Phillip, the sachem, the Court haue ordered that if hee can procure a deed vnder hand and seale from the

said Phillip, that hee shall haue fourscore or an hundred acres of it, prouided it prejudice noe former graunt.

1669.

In answere vnto the petition of Mr Thomas Cushman for accomodation of land, the Court haue graunted that hee shalbe accomodated att or neare Namassakett, where Henery Sampson, Experience Michell, and Thomas Littles graunts are, if it be there to be had ; if not, elsewhere within this jurisdiction, if it can be found.

5 July.  
PRESEN.  
Gov<sup>r</sup>.

The Court being informed that William Blackmore, of Scituate, that in respect of the loss of one of his eyes, it proueth dangerouse vnto him to traîne and beare armes as formerly, haue giuen libertie that henceforth hee be excused from training and bearing armes in that respect.

\*Att this Court, John Dunham, Seni<sup>r</sup>, came into the Court and complained against John Dotey, that hee mett him in the high way, and did crewelly beate him, and affeirmeth that hee goeth in danger of his life because of the said Dotey, and hath taken an oath before the said Court for the truth of the promises, and prayeth a warrant of the peace against him.

[\*16.]

John Dotey acknowledgeth to owe vnto our soũ lord }<sup>ii</sup> 20 : 00 : 00

Released.

the Kinge the summe of . . . . . }

John Soule the summe of . . . . . 10 : 00 : 00

Samuell Smith the summe of . . . . . 10 : 00 : 00

The condition that if the said John Dotey shall and doe keep the peace towards our soũ lord the Kinge and all his leich people, and in speciall in reference vnto the said John Dunham, and appeer att the Court of his ma<sup>tie</sup> to be holden att Plymouth the last Tusday in October next, and not depart the said Court without lycence ; that then, &c.

This Court ordered, that the Treasurer, in the behalfe of the cuntry, is to make good a barrell of marchantable beefe to Mr Green, the printer att Cambridge, which is to satisfy what is behind vn timer payed for, and towards the printing of the booke called New Englands Memoriall, which barrell of beife is soũthing more then is due by bargaine, but the Court is willing to allow it on consideration of his complaint of a hard bargaine about the printing of the booke aforsaid.

William Randall, Seni<sup>r</sup>, for villifying the goũment by approbrious speeches, is fined the summe of fiue pound to the vse of the collonie.

1669.

29 October.

PRENCE,  
Gou<sup>r</sup>.

[\* 17.]

*\*.Att the Court of his Ma<sup>tie</sup> held att Plymouth, in New England, the 29 Day of October, 1669.*

BEFORE Thomas Prence, Esquire, Gou <sup>r</sup> ,	William Bradford,
John Aldin,	Thomas Hinckley, and
Josias Winslow,	Nathaniel Bacon,
Thomas Southworth,	

Assistants.

**W**HERAS there hath bine a joynt agreement by and between M<sup>r</sup> Thomas More and Samuell Dotey and seuerall others of the towne of Eastham about laboure in takinge vp of monies cast away in a wracke belonging to the said More att Cape Cod, and the said More haucing allowed vnto the said Dotey four shillings a day, there remaining vpon account due the summe of three pounds and seauenteen shillings due vnto the said More from the said Dotey, hee haucing layed out the said summe in a mare and colt, the mare being a blacke mare, the topp of the left eare being cutt off, and a little bitt cut out vnder each eare, and a red mare colt, with a white face, the topp of the left eare cutt off, and a little bitt cutt out vnder the farr eare, hee haucing nothing else to pay, and leaucing it to the determination of the Court, the Court haue ordered that the said mare and colt be taken vp and apprised by two indifferent men att mony prise, and to be responsible to answare vnto the said M<sup>r</sup> More or his order the said summe and charges of takinge her and her colt vp; and incase the mare and colt comes to more then the said summe and charges, then the oucrplusse to be returned to the said Dotey.

In reference to a horse in controversy betwixt Thomas Pope and Richard Willis, the said horse haucing bine in the custody of the said Willis, and by him lett goe soe as hee can not be found and brought to tryall, the Court haue ordered, that the said Richard Willis shall forthwith deposite the worth or vallue of foure pounds in the hands of John Wood, of Plymouth, whoe was then constable of Plymouth when the said horse was attached att Popes complaint, and that the said Pope and Willis shall appeer att the Court to be holden att Plymouth the next March after the date heerof, to make the best proffe they can whose hee is; and if in the mean time the said Willis doe produce the horse, that then hee to bee freed from this engagement of the foure pounds, but if hee doe not, that then the said foure pounds to be responsible to answare those to whom the horse shalbe found to belong vpon tryall.

Att this Court, Richard Willis came before the Court and engaged his house and land vnto John Wood for securitie for the payment of the said foure pounds.



1669.

29 October.  
PRENCE,  
Gov<sup>r</sup>.

John Ewen, for comitting fornication with Ruhamah Turner, was fined the sume of three pounds to the vse of the collonie, abated heerof twenty shillings.

In reference to the p̄sentment of Ephraim Done, of Eastham, for horribly slaundering and belying of his naighbours, hee was fined for telling of two lyes about the same the sume of twenty shillings to the vse of the collonie, and refered for future censure to a further tryall of his future conversation, and incase hee approue himselfe better then his fault heerin, to be pased by; but if hee doe yett further offend in this kind, that then the agravation to be remembered according to his demeritts, with answarabe punishment.

Gorge Russell, of Scittuate, for breach of the Lords day, fined ten shillings.

Robert Laurance, sōmtimes of Plymouth, for breaking the peace and swearing, fined eight shillings and foure pence, viz}, for breaking the peace, three shillings and four pence, and for swearing, five shillings.

Thomas Starr, for speakeing euill of one of the majestrates, fined 20s.

Thomas Starr, for vsing words and carriages tending very much to vncleanes, was fined twenty shillings.

\*The Court doth allow Robert Shelley to take the estate of his son, John Shelley, into his hands from Samuell Bacon, allowing such due charges as the said Bacon hath bine att about it, and giucing him a discharge on receipt of the same.

[\*18.]

John Sprague is allowed by the Court to keep an ordinary att Duxburrow.

In reference vnto two seuerall petitions prefered to the Court, the one by Elizabeth Bullocke, widdow, and the other by Samuell Bullocke, in reference to the dispose of the lands and estate of Richard Bullocke, deceased, the Court doe request and appoint Captaine Thomas Willett, Leiff Hunt, and Ensigne Smith to take some paines in settleing matters about the lands of the said Richard Bullocke between his heires and the said widdow, and incase they doe compose and settle the said lands to satisfaction, that they would please to send in vnto the Court what they haue done in the p̄mises; and incase they can not settle thinges about it, that they acquaint the Court with the sticke att the next March Court, and concerning the remainder of the estate, that they giue in an accompt of what is left of it to the Court, that soe they may take order about it att the said Court.

In reference vnto a shirt stollen by an Indian from Christopher Blake, and sold vnto Nathaniell Winge, which shirt is now in the costody of the constable of Sandwich, the Court haue ordered that the said constable shall returne the said shirt vnto the said Blake, and to require the said Winge to pay five shillings to the said Blake in satisfaction for his trouble

1669.

29 October.  
PRENCE,  
Gou<sup>r</sup>.

and charge about it, and two shillings and six pence to the said constable for his busines about it, and that the said Winge be required to looke vp the said Indian, and bringe him or cause him to be brought before some one of the majestrates of this jurisdiction, to answare for his said fact.

In reference vnto the complaint of Penninnah Linnitt, widdow, against David Linnit, that hee hath possessed himselfe of her house and land giuen her by the will of her deceased husband, Robert Linnitt, and giueth her noe satisfaction for the same, the Court haue ordered, that if hee doe not giue her satisfaction about the same betwixt this and the next March Court, that then the Court will take course that hee shalbe dispossessed therof.

Att this Court, Arther Howland, Phillip Leanard, Willam Norkett, and Willam Hincksman appeered according to summons to answare for their neglect of paying their rate to the minnistry. The Court, haueing heard their seuerall answares, doe determine as followes: that the said Arther Howland, in respect vnto his age and low condition, bee acquitted for what is pasd; and the rest of them forthwith to pay their proportions they were rated the last yeare to the minnistry; and that the constable be payed for his distresse that hee shalbe nessesitated to make vpon them or any of them in that behalfe.

Att this Court, Robert Ransom and his wife appeered, being bound ouer thervnto to answare for their contensions and vnworthy carryages each to other in their walkeing in marriage condition, and on their engagement to liue better in that behalfe they were for the p̄sent cleared, and their bonds for their appeerance in their sight cancelled.

Att this Court, letters of adminnestration were graunted vnto Mistris Sissillie Fish, of Sandwich, widdow, to adminnester on the estate of Robert Rollocke, deceased.

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*\*Att the speciall Court held att Plymouth the eight Day of December,  
Anno Doñi 1669.*

8 December.

[\*19.]

BEFORE Thomas Prence, Esq<sup>r</sup>, Gou<sup>r</sup>, and Willam Bradford,  
John Alden, Thomas Hinckley, and  
Josias Winslow, Nathaniel Bacon,  
Assistants.

**I**N reference vnto a controversy between the townes of Taunton and Bridgwater, concerning the bounds of their townshipes, that wheras their hath bine seuerall debates about it, and that now their agents haue appeered

att this Court, and some endeauors by both themselves and the Court to bring the case to an issue, but for p̄sent can not, the Court haue ordered that if they doe not agree the case between themselves, or that neither p̄ty doe complaine by way of action betwixt this date and the next March Court; that then the Court will see cause to impannell a jury to bring the said controuersy to a finall issue and settlement.

Att this Court, Jane, the wife of Samuell Hallowey, of Taunton, appeered, being sent by the townesmen of the said towne, that forasmuch as her carryage towards her husband was soe turbulent and vild, both in words and actions, as hee could not liue with her but in danger of his life or limbs, and alsoe her carryage before the Court was soe audatious as was intollerable; for her said vild and notorious practices and carryages shee was centanced by the Court to be comitted to the jayle during the pleasure of the Court; but shee, haucing bine but one night in close durance, manifested great pensiuenes and sorrow for her said miscarriages, and engaged to carry better for the future; on which, as alsoe by the earnest sollisitation of her husband, shee was sett att liberty, that shee might goe home with her husband, and soe to passe vpon tryall in hopes of better practices for the future.

Wee, whose names are vnderwritten, being impannelled by Mr John Alden on the coronors enquest, to make enquiry how John Paybody came by his death, doe find,—

That hee ryding on the road, his horse carryed him vnderneath the bow of a young tree, and violently forcing his head vnto the body therof, brake his skull, which wee doe judge was the cause of his death.

sworne,	{	SAMUELL SABERRY,
		JOHN TRACYE,
		HENERY SAMPSON,
		JOHN SPRAGUE,
		RODULPHUS THACHER,
sworne,	{	JOHN WADSWORTH,
		BENJAMINE BARTLETT,
		WILLAM CLARKE,
		JOSEPH PRIOR,
		SAMUELL HUNT,
	{	JOSEPH WADSWORTH.

Dated this 18 of the 9<sup>th</sup> month, 1669.

1669.

8 December.  
PRENCE,  
Gov<sup>r</sup>.

1669.

8 December.  
 PRINCE,  
 Gour.

Att the Court held att Plymouth in October last past before the date heerof, the Court taking into theire consideration the vsefulness and seasonableness of the sermon preached att the Election Court att Plymouth in June last, did order, that the said sermon should be printed, which accordingly was in this yeare don and pformed, by the approbation alsoe of Mr Chauncey and Mr Shepard, whoe alsoe aded imprimature thervnto as it is now extant.

1669-70.

1 March.  
 [\*20.]

*\*.Att the Court of his Ma<sup>tie</sup> held att the Towne of Plymouth, for the Jurisdiction of Plymouth, in New England, the first Day of March, Anno Doñi 1669.*

BEFORE Thomas Prince, Esquire, Gour,	Thomas Hineckley,
John Aldin,	John Freeman, and
Josias Winslow,	Nathaniell Bacon,
William Bradford,	

Assistants, &c.

**I**N reference vnto the further request of Mr John Jacob to haue a deiuision of the land hee with others bought of Mr Hatherley, att Accord Pond, the Court haue ordered, that hee shall take out such coppies out of the records of Conihassett land as are behoofull to the said deiuision, and repaire to the Gour and major for the ordering of the same to be don by the marshall as soon as a convenient time and oppertunitie wilbe p̄sented.

Att this Court, Richard Willis appeered to answare the complaint of Thomas Pope, for detaining of a horse that hee layed claime vnto, and desired that the said controversy might be tryed by a jury of twelue men by way of action; but Joseph Bartlett, the said Popes attorney, refused to joyne issue with him in that way; on which the Court ordered that the said horse should be kept by the said Willis vntill June Court next, and if in the mean time any can come in and make better claime and title to him then the said Willis, they shall haue him, paying all due charges; but if none other in the interem shall or doe come in and make better title to him, by the said Court hee shall then be reputed to be the said Willis his horse.

In reference to the p̄sentment of John Tilson, in breaking the Kings peace by strieking Robert Ransom, the said Tilson is fined 3<sup>s</sup> 4<sup>d</sup>.

Richard Bishop, for p̄floyning of a p̄sell of sheeps woole from Gorge

Crispe, is centanced to pay to the said Crispe the summe of thirty shillings vpon demand, on receipt wherof hee is to rest satisfy concerning the matter, and the said Bishop cleared.

1669-70.

1 March.  
PRENCE,  
Gou<sup>r</sup>.

John Loe, for being drunke the second time, that is to say, convicted therof before the Court, hee is find the summe of ten shillings, according to order.

Thomas Mathewes, for vnreasonably beateing of the Indian Ned, and therein breaking the Kings peace, is fined three shillings and four pence; and for the abuse of the said Indian, and for and towards his charges in coming too and attending the Court, the said Mathewes is ordered to pay him fourteen shillings.

Att this Court, Ralph Smith, Samuel Smith, and Daniel Smith, (by his father,) appeered to answare the suites comēced by Josias Cooke against them, which suites were by the said Cooke withdrawne; the Court adowed the charges to the defendants for their appeerance and attendance att the Court to answare the said suites.

In reference to a complaint made against Nathaniel Fitsrandall for refusing to pay the summe of one and twenty shillings to the minnistry att Barnstable, which was the summe awarded him by order to pay therunto, the Court, heering his defence, but not judging it sufficient, did centance him to pay the summe of forty two shillings to the Treasurer, according to order of Court provided in such a case.

\*Christopher Blake, for being drunke, fined five shillings, and for his vnseemly carriages in his drunkenes with an Indian woman, is centenced by the Court to sitt in the stockes two houres att Yarmouth on their next training day; and incase hee shall goe aside to escape the execution of the said centance, that then hee shall be taken by any constable within this jurisdiction, in whose libertics hee shall be found, and publicly whipt.

[\*21.]

In reference vnto the psentment of Jane, the wife of Samuell Hallowey, of Taunton, together with other horrible and abusive speeces and actions by her spoken and done against her husband and others, not onely in other places, but in the psence of the Court, shee is centanced to bee publickly whipt att Taunton; and wheras shee is att psent wth child, the execution of the said centance is refered vntill shee shall be delinered and abroad againe; and the constable of Taunton is to inflict the said punishment, or to cause it to be inflicted, att the time forenamed; which if hee refuse to doe, hee shall bringe her to Plymouth, that it may be inflicted by the vnder marshall att the publicke post; and in reference to the complaint of the said Jane Hallowey against Jonathan Briggs, that hee had comitted adultery with her two seuerall times,

1669-70.

1 March.  
PRENCE,  
Gov<sup>r</sup>.

the Court caused a bill of inditement to be drawne up and prefered against him, which the grand jury went forth vpon, and could not find the said bill, and soe the said Jonathan Briggs was cleared before the Court.

Furthermore, in answare vnto the earnest request of the said Samuell Hallowey to be diuorced from his said wife, shee haueing not onely most horribly abused him, as is manifested by the testimonies to the abouesaid p̄sentment, and att other times, as is aboue hinted, but alsoe confessed that shee hath comitted adultery with diuers persons; yett notwithstanding, the Court, being not very cleare to such a proceeding att p̄sent, refered the full answare ther-vnto vntill the next June Court, being willing to take mature advice and deliberation about it, as is bechoofull to soe waighly a matter.

Att this Court, Robert Ransom appeered to answare his p̄sentment for speaking wicked and reproachfull words against the Gour<sup>r</sup> and majestrates, and did put his p̄sentment vpon trauerse; the jury cleared him legally, there being but one witnes appeering against him in that case; althō they were pswaded that the acusation spake like vnto the said Ransoms language.

Att this Court, John Prince, Jun<sup>r</sup>, of Nantaskett, appeered, haueing bine acused by Bethyah Tubbs that hee had begotten her with child; but it soe fell out by the ordering hand of God, that shee being sent for to heare some testimonies that hee said hee could produce, tending to his clearing, shee fell in trauell, and was deliuered of a child while the Court was then in being att Plymouth, on which the time being computed that shee acused him to haue done the acte, it was found not to answare to the time of the child's beirth, it being come to full p̄fection; on which the Court cleared him, soe farr as they could as yett descerne, from being guilty of the said fact.

Wheras Joseph Turner, Seni<sup>r</sup>, was p̄sented att October Court, 1669, for slaundering, and for horrid inciuiltie in words and actions, and in the p̄sence of seuerall weomen, as by plentifull testimonies appeers, it being pleaded att this Court, to which hee was summoned to answare the said p̄sentment, that the tearmes of the p̄sentment were soe generall, that hee could not be provided att that time to answare to it, the Court allowed that hee should haue knowledge of the p̄ticular heads of his charge contained in the testimonies giuen him, in order to his answaring itt att June Court next; which accordingly was done.

[\*22.]

\*Forasmuch as Joseph Turner departed from this Court without the Courts leaue or knowlidge, wheras they expected cecuritie for his appearence to answare his p̄sentment att June Court next, the Court ordered that hee should be arrested and ceured to the said Court, the charges against him being soe many and of soe hainous a nature.

In reference to the presentment of Micaell Peirse, of Scittuate, for vnseemly carriages towards Sarah Nicolls, of Scittuate, forasmuch as there appeared but one testimony to the presentment, and that the testimony was written and not read vnto the deponant, the Court saw cause to remitt the said presentment.

1669-70.

1 March.  
PRENCE,  
Gou<sup>r</sup>.

Att this Court, Serjeant Isacke Bucke was approued and established by the Court to be lieutenant of the milletary companie of Scittuate.

And John Sutton was approued and established to be the ensigne of the milletary companie of Scittuate.

Letters of administration is graunted vnto Jehosabath Robins to administer on the estate of John Robins, deceased.

A Writing appointed to be recorded, as followeth: —

August the third, 1670. Att the Viniyard.

Att a Generall Court held vpon the Vineyard. To his Ma<sup>tie</sup>, our souer lord the Kinge: —

Wheras James Skiffe, late inhabitant of Sandwich, but now att the Viniyard, hath petitioned and sued for a bill of diuorce from his wife, wherypon this present Court hath taken it into serious consideration, and haueing receiued sufficient testimony that the late wife of James Skiffe hath vnlawfully forsaken her lawfull husband, James Skiffe, and is gone to Roanoke, in or att Verginia, and there hath taken another man for to be her husband, añ wee haueing receiued seuerall testimonies of it, —

This was heer recorded the 10th of May, 1671.

Therefore know all men by these presents, that the authoritie of the Court hath graunted vnto the aforesaid James Skiffe a lawfull bill of diuorce from the former woman, namely, Elizabeth, the daughter of M<sup>r</sup> Naighbor Cooper, inhabitant of Boston; that James Skiffe is free from the aforesaid woman, which was his lawfull wife; and that the aforesaid couenant of marriage is now dissolved and of non effect.

This abouewritten is a true copy, taken out of the original by mee, Thomas Doged, clarke to the Court att the Viniyard.

August the 8<sup>th</sup>, 1670.

This was heer entered by order from the Gou<sup>r</sup> the day and yeare expressed in the margeant.

1670. \**At the Court of Election holden att the Towne of Plymouth, for  
the Jurisdiction of New Plymouth, the seauenth Day of June,  
Anno Doñi 1670.*

7 June.  
[PRENCE,  
GOVERNOR.]  
[\*23.]

BEFORE Thomas Prence, Gouvernor, and Thomas Hinckley,  
John Alden, John Freeman, and  
Josias Winslow, Nathaniel Bacon,  
Wilham Bradford,  
Assistants, &c.

**M**<sup>R</sup> THOMAS PRENCE was chosen Gour, and sworne.

M <sup>r</sup> John Alden,	}	were chosen Assistants, and sworne.
Major Josias Winslow,		
Cap <sup>t</sup> Wilham Bradford,		
M <sup>r</sup> Thomas Hinckley,		
Leiftenant John Freeman,		
M <sup>r</sup> Nathaniel Bacon, and		
M <sup>r</sup> Constant Southworth,	}	chosen Comissioners.
M <sup>r</sup> Thomas Prence and		
Major Josias Winslow were		
M <sup>r</sup> Constant Southworth was chosen Treasurer, and sworne.		

The Names of the Deputies of the seuerall Townes that serued att this Court.

M <sup>r</sup> John Howland,	Wilham Crocker,
Leiff Morton,	Thomas Huckens,
Wilham Paybody,	Ensigne Eames,
Cornett Studson,	Anthonie Snow,
Isacke Chettenden,	M <sup>r</sup> Stephen Paine,
Richard Bourne,	Wilham Sabin,
Wilham Harvey,	Daniell Cole,
James Walker,	Jonathan Sparrow,
Thomas Howes,	John Willis,
John Thacher,	John Allin,
	John Morton.

[\*24.] \*The names of the Selectmen in each Township of this Jurisdic<sup>n</sup>.

Leiff Morton,	}	. . . . Plymouth.
Serj <sup>e</sup> Harlow,		
Wilham Crow,		



M <sup>r</sup> Christopher Wadsworth,	}	. . . . . Duxburrow.
M <sup>r</sup> Samuell Saberry,		
Benjamin Bartlett,		
Cornett Studson,		
Isacke Chettenden,	}	. . . . . Scituate.
Isacke Buck,		
James Skiffe,		
M <sup>r</sup> Edmond Freeman, Jun <sup>r</sup> ,	}	. . . . . Sandwich.
William Swift,		
William Harvey,	}	. . . . . Taunton.
James Walker,		
M <sup>r</sup> Hawes,		
Edward Sturgis, Sen <sup>r</sup> ,	}	. . . . . Yarmouth.
Thomas Howes,		
John Thacher,		
John Miller,		
Thomas Hucksens,	}	. . . . . Barnstable.
John Tompson,		
Joseph Laythorp,		
Ensigne Eames,	}	. . . . . Marshfield.
William Foard, Sen <sup>r</sup> ,		
John Bourne,	}	. . . . . Rehoboth.
Leiftenant Hunt,		
M <sup>r</sup> Steuen Paine,		
Ensigne Smith,		
Nicholas Snow,	}	. . . . . Eastham.
Daniell Cole,		
Leiften Rogers,		
Josias Cooke,		
Jonathan Sparrow,		
John Willis, Sen <sup>r</sup> ,	}	. . . . . Bridgewater.
John Carrey,		
Leiftenant Haward,		
John Cooke,	}	. . . . . Dartmouth.
James Shaw,		
Samuell Hicckes,		
M <sup>r</sup> James Browne,	}	. . . . . Swansea.
M <sup>r</sup> Tanner,		
M <sup>r</sup> Allin,		

1670.

7 June.

[PRENCE,  
GOVERNOR.]

1670.

7 June.  
PRENCE,  
Gov<sup>r</sup>.  
[\* 25.]

\*The Names of the Grañ Enquest.

John Cushen,	} sworne,	Nathaniel Thomas,	} sworne,
Walter Briggs,		James Hamblen,	
†Henry Wood, ‡ deceased,		Joseph Buckland,	
Nathaniel Paine,		Henry Dillingham,	
John Finney,		Thomas Tobey,	
Phillip Delanoy,		John Caruer,	
Sargeant Ephraim Tinkham,		Thomas Paine,	
Benajah Prate,		John Haward,	
John Tracye,		Samuell Luther,	
William Witherley,		Elisha Hedge,	
Judah Thacher,		John Hathewey,	
. . . . .		Pelegg Sherman.	

The Names of the Constables of the severall Townes of this Jurisdiction.

Plym̄,	. . . . .	Joseph Warren.
Duxbuř,	. . . . .	John Rogers, Jun <sup>r</sup> .
Scittū,	. . . . .	{ Samuell Clapp, Timothy White.
Sand,	. . . . .	Joseph Holley.
Taunton,	. . . . .	Nathaniel Williams.
Yarmouth,	. . . . .	Samuell Sturgis.
Barnstable,	. . . . .	Mr Thomas Allin.
Marshfeild,	. . . . .	Jacob Dingley.
Rehoboth,	. . . . .	{ John Fitch, Richard Bowin.
Bridgwater,	. . . . .	John Eames.
Eastham,	. . . . .	Samuell Smith.
Dartmouth,	. . . . .	Ralph Earle.
Swansey,	. . . . .	Nathaniel Chafey.

Surveyors of the Highwaics.

Plymouth,	. . . . .	{ Gorę Bonum, Stephen Bryant, Abraham Jackson.
Duxbuř,	. . . . .	^ ^
Scittuate,	. . . . .	{ Micaell Peirse, John Turner, Jun <sup>r</sup> , Joseph Barstow.

Sand, . . . . .	^	^
Taunton, . . . . .	^	^
Yarmouth, . . . . .	{	John Burgis, Edward Sturgis, Junr.
Barnst, . . . . .	{	James Lewis, Samuell Fuller, the son of Cap <sup>t</sup> Fuller.
Marshfeild, . . . . .	^	^
Rehoboth, . . . . .	{	Preserved Abell, John Butterworth.
Eastham, . . . . .	{	Richard Knowles, Samuell Freeman.
Bridgewater, . . . . .	{	Joseph Bassett, Robert Latham.

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Gov<sup>r</sup>.

\*The Names of such in each Township which are appointed to looke after the Minnesters Rate. [\*26.]

Scittuate, . . . . .	{	Edward Jenkins, John Turner, Seni <sup>r</sup> .
Taunton, . . . . .	{	William Harvey, James Walker.
Yarmouth, . . . . .	{	Thomas Howes, John Thacher.
Barnstable, . . . . .	{	Mr Hineckley, Thomas Huckens.
Marshfeild, . . . . .	{	Elisha Besbey, John Bourne.
Eastham, . . . . .	{	Leift <sup>e</sup> Freeman, Jonathan Sparrow.
Bridgewater, . . . . .	{	John Willis, Leift <sup>e</sup> Ilaward, Samuell Parker, Seni <sup>r</sup> .

Mr Bourne, Mr Huckens, Mr Walker we<sup>r</sup> appointed by the Court to take the Treasurers account.

Att this Court, l<sup>r</sup>s of adminnestration were graunted vnto Mistris Elizabeth Tilden to adminnester on the estate of Mr Joseph Tilden, deceased.

\*This Court, being enformed that the Indians are desirous to sell a smale p<sup>l</sup>sell of vpland att a necke called Quanamett, or neare therabouts, on the [\*27.]

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South Sea, doth therefore order M<sup>r</sup> Hinckley and M<sup>r</sup> Bourne, of Sandwich, to purchase the same, and it to be reserued for M<sup>r</sup> Thomas Walley, Seni<sup>r</sup>, of Barnstable, vnto the Courts confeirmation therof vnto him when they shalbe in capassitie therunto.

This Court haue confeirmed vnto Joseph Burge, of Sandwich, a former graunt of a p̄sell of vpland lying between the Red Springe and the Red Brooke att Pochasett, next vnto the land of Wiltam Paybody, being about fourscore acres, with six or eight acres of meddow, vnto the said Joseph Burge, his heires and assignes, for euer.

Att this Court, a certaine tract of land, formerly graunted vnto Wiltam Paybody, lying att or neare a place called Pinquin Hole, was confeirmed by the Court vnto him, the said Wiltam Paybody, his heires and assignes, for euer; the which was graunted vnto him in way of exchange for all his right of land which hee hath att Taunton Riuer as an ancient freeman, both deuided and vndeuided; the which, his whole interest there, hee, the said Wiltam Paybody, hath att this Court surrendered vp to the Court againe.

Att this Court, the Treasurer, Cornett Studson, and Thomas Huckens are impowered by the Court, in the behalfe of the countrey, to make sale of the abouesaid land, surrendered vp by Wiltam Paybody, lying att Taunton Riuer, as aboue expressed.

The Treasurer is appointed by the Court to agree with some workeman to build an addition to the countrey hous to entertaine the majestrates att Court times and other nessesary vses of the countrey.

Memorand: that att this Court John Williams appeered, in the behalfe of Nathaniel Man, of Scituate, to enter an appeale from the Court of the Celect Men att Scituate; and the Court refered the entery and tryall therof vntill the next July Court, because matters are not fully settled in respect of the order about appeales; and the Court engaged, that there shalbe no advantage taken by the bonds giuen in for the proceecution of the said appeals.

In reference to the complaint of M<sup>r</sup> Josias Winslow, Seni<sup>r</sup>, in the behalfe of the towne of Marshfeild, against Cap<sup>t</sup> Nathaniel Thomas, for neglecting and refusing to make payment of the sume of one pound seauen shillings and nine pence, due from him to the minnistry att Marshfeild, the said Cap<sup>t</sup> Thomas appeering, and his son, Nathaniel Thomas, in his behalfe, and haueing had competent patience and time giuen them by the Court to giue in his reasons for refusing to pay his said proportion, and they refusing to joyne issue with the said Josias Winslow in the case, the said Captaine Thomas is centanced by the Court to pay the sume of two pounds fifteen shillings and sixpence, according to the order of Court.

The Court haue graunted liberty vnto Leiftenant Rogers to purchase a p̄sell of land of the Indians att a place called Naancoyicke, neare Eastham, being a pte of the land reserued for the purchasers. The bounds are as followeth, viz: it begins att or neare the mouth of a riuer called Pottanumaquatt Riuer, att the Indian fence, and soe ruīng along the said fence towards the southwest vntill it comes to the meddow of the said Leiftenant Joseph Rogers, att the northwest corner, and bounded by the said fence and salt water towards the northeast and east.

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Gov<sup>r</sup>.

In reference to the complaint of Wiltam Randall, Seni<sup>r</sup>, against John Rogers, of Marshfield, for taking a payer of oxen out of his pasture without his leaue, the Court haue ordered, that hee shall returne him his oxen againe, and to the said Randall twenty shillings and six pence for his journeyes and charges to the Court about it.

In reference vnto a coate, in the hands and costody of Wiltam Clarke, of Plymouth, which was left by a stranger in the towne of Plymouth aforesaid, the Court haue ordered the said Wiltam Clarke to pay vnto the Treasurer the sume of fifteen shillings, and to haue the said coate; and in case the owner come and challenge it, then the said fifteen shillings to bee repayed to him againe.

\*The Court doth abate vnto James Cole, Juni<sup>r</sup>, twenty shillings due for this yeare of the excise, in regard that hee is a new beginner in keeping the ordinary att Plymouth.

[\*28.]

Att this Court, Jonathan Hatch, for selling liquors to the Indians, fined three pound.

Samuell Chandeler, for being drunke, fined fiue shillings.

John Sprague, for suffering Samuell Chandeler to be drunke in his house, fined ten shillings.

Thomas Pope, for villifying the minnestry, fined ten shillings.

Thomas Hughes, for breaking the Kings peace, fined three shillings and foure pence.

Hughes, by striking Richard Willis.

Thomas Lucas, for breaking the Kings peace, fined three shillings and foure pence.

Lucas, by striking of Samuell Jenney.

Samuell Norman, for breaking the Kinges peace in strikeing Lydia, the wife of Henery Tayler, was fined three shillings and four pence.

And in reference to the said Norman his throwing his hoe att Hannah Dauis, and therby soe hiting her therwith as that her life was much indangered, hee was centanced by the Court to pay vnto the frinds of the said Hannah Dauis, for and towards the reparation of the wronge done to her in that behalfe, the sume of ten shillings; and in reference to his turbulent

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released.

carriages mensioned in the p̄mises, and his frequency and aptnes to such like practices, hee, the said Samuell Norman, was centanced by the Court to find surties for his good behavior.

Samuell Norman acknowledgeth to owe vnto our soū }<sup>ll s d</sup>  
lord the Kinge the sum̄e of . . . . . } 20 : 00 : 00  
John Tompson the sum̄e of . . . . . } 10 : 00 : 00

The condition, that if the said Samuell Norman be of good behavior towards our soū lord the Kinge and all his leich people, and in speciall towards the p̄ties wronged by him as aforesaid, and appeer att the Court of his ma<sup>tie</sup> to be holden att Plymouth the last Tusday in October next, and not depart the said Court without lycence ; that then, &c.

John Dunham, Seni<sup>r</sup>, being bound ouer to this Court to answare for his abusive speeches and carriages towards Sarah, the wife of Benjamine Eaton, and being conuict therof, was centanced to be bound to his good behavior.

Cleared and  
released.

John Dunham acknowledgeth to owe vnto our soū }<sup>ll</sup>  
lord the Kinge the sum̄e of . . . . . } 40

The condition, that if the said John Dunham be of good behavior towards our soū lord the Kinge and all his leich people, and in speciall towards Sarah, the wife of Benjamine Eaton, and appeer att the Court of his ma<sup>tie</sup> to be holden att Plymouth aforesaid the last Tusday in October next, and not depart the said Court without lycence ; that then, &c.

In reference vnto a complaint made against Willam Randall, Seni<sup>r</sup>, for neglecting to pay his proportion to the rate for the minnistry att Scittuate, forasmuch as hee engaged speedily to make payment of what hee is rated in that behalfe in good and currant pay, incase hee soe doe, hee is freed by the Court from paying double, according to the order p̄ouided in that behalfe ; or otherwise to be exacted.

And in reference to the like complaint against John Palmer and Henry Ewell, they engaged to the Court to tender their goods to the constables of Scittuate for the payment of their proportions to the said rate ; which incase they shall neglect to doe, the said constables of Scittuate, or either of them, are heerby impowered to make destresse vpon their goods, or soe much therof as will satisfy and make good double their proportions of their said rate, according to the aforesaid order of Court.

Att this Court, Thomas Saury was dismissed from his office of vnder marshall, haucing bine found seuerall times vnfaithfull in the p̄formance of his said office, and att this Court, in speciall, by letting Joseph Turner, being com̄itted to him as his p̄soner, make an escape from him, to the great offence of the Court and cuntry ; the said Turner being found guilty of many

abominable crimes, and had received his demerits had hee not made an escape as aforesaid.

\*Whereas the bounds of Sandwich can not be found on the records of our Court, this Court hath graunted, according to their request, that their bounds shalbee fairly entered on the records of the Court.

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Gou<sup>th</sup>.  
[\*29.]

The Court haueing appointed Mr Thomas Hinckley, Thomas Dexter, Senir, and Mr Constant Southworth to settle the bounds between Plymouth and Sandwich, these are to certify, that the men aboue mensioned haue, with the concurrence of the agents of the townes abouesaid, agreed and determined the bounds to be as followeth, viz<sup>t</sup>: that the towne of Sandwich shall run three quarters of a mile from any pte of the fence of John Ellis his feild, between his house and the sea, vpon what point of the compas they please; and att the end therof to pitch their stake, and thence to run a northeast line to the sea, and a southwest line into the woods; onely incase a southwest line from the said stake shall cutt off any pte of the Herring Riuer, to deprivie the towne of Sandwich of the benefitt of the alewines, that then the said line shall run more westward, to cleare the said riuer vnto the towne of Sandwich. In witness wherof they haue heervnto sett their hands, this niñteenth of February, 1663.

THOMAS HINCKLEY,  
THOMAS DEXTER,  
CONSTANT SOUTHWORTH.

The eastern bounds of the township of Sandwich is from two or three stumps neare vnto the house of Ralph Jones, and runs northeast to the sea, and southwest into the land, vntill it comes ouer Satuit Pond to marked pyne trees.

The constablericke of Sandwich to extend vnto Sacconesett bounds, both for English and Indians: soe ordered by the Court.

Att this Court, Samuell Hallowey, of Taunton, importuned the Court for a divorce from his wife, Jane Hallowey, expressing himselfe much agrieved with her continued approbrious and audacious asserting and affirming that shee had committed adultery with Jonathan Briggs; in consideration wherof the Court passed an order to Wiltam Harvey and James Walker, of Taunton aforesaid, authorising them to examine her as soon as shee can conveniently after her being vp out of child bed, to know of her whether shee will yet stand to and maintaine her said assertion; which if incase shee doe, and that the said Hollowey doe appeer att the Court of his ma<sup>tie</sup> to be holden att Plym-

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Gov<sup>r</sup>.

outh aforesaid the last Tuesday in October next, and produce sufficient testimony, vnder the hand of the said William Harvey and James Walker, that shee still affirmes that shee hath committed the said acte, the Court will then see cause to graunt him a bill of diuorse.

Wheras Joseph Turner, Seut<sup>r</sup>, was bound ouer to this Court to answare his p̄sentment, which was for most laciuous, abscane, and vild expressions and actions, spoken and acted towards seuerall p̄sons diuers times, wherof hee was legally convicted by cleare and manifest euidence, (which is extant;) and haucing put the said p̄sentment on trauice, and the jury bringing in a verdict wherin they say they find him guilty in the whole p̄sentment, vules it be in the first p̄ticular and the first p̄te of the ninth; this Court doth therefore cenceance him, the said Joseph Turner, to receiue corporall punishment by whipping, and therby to receiue thirty stripes, fifteen wherof to be inflicted att Plymouth att the publicke post, soone after hee shalbe apprehended; and the other fifteen att Scittuate, on some publicke training day, as soone as it may conveniently be done and p̄formed.

The Names of the Jury.

Mr Samuell Sabery,	Phillip Dellanoy,
Gor̄g Watson,	John Tracye,
Serjeant Ephraim Tinkham,	Benajah Prat,
John Finney,	Benjamin Church,
Henry Wood,	Thomas Cushman,
Steuen Briant,	James Hamblen.

5 July.  
[\*30.]

\*.Att the Court of his Ma<sup>ty</sup> held att Plymouth the fift Day of July,  
Anno Doñi 1670.

BEFORE Thomas Prence, Gov <sup>r</sup> ,	Thomas Hinckley,
John Alden,	John Freeman, and
Josias Winslow,	Constant Southworth,
William Bradford,	

Assistants, &c.

**M**<sup>R</sup> HINCKLEY was appointed by the Court to take occuritic in the Courts behalfe of Elizabeth Goodspeed, widdow, the relict of Nathaniel Goodspeed, late deceased, for her adminnestration on his estate.



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This Court doth order, that the two children of the said Nathaniel Goodspeed shall have, each of them, forty shillings reserved for them out of the estate of the said Goodspeed, and deliuered to them by the aboucsaid administrator, or her order, when they come to be of age.

In reference vnto the complaint of John Jourdain, in the behalfe of his daughter, Jehosabath Robins, against Gorge Turner, of Bridgewater, for detaineing certaine clothes appertaining vnto the estate of John Robins, deceased, the Court haue ordered, that the said Turner shall deliuer a certaine cloake, which is one p̄ticular of the said clothes, vnto the said John Jourdain on his demand, and retaine the rest of the said clothes vnto himselfe.

Edward Sturgis, Sen<sup>r</sup>, is allowed to keep an ordinary att Yarmouth, and required to keep good orders in his house in that respect, that rude fellows be not found nor suffered there to misdemean themselves.

John Miller is required by the Court to cease and desist from keeping an ordinary att Yarmouth.

John Woodcocke is allowed by the Court to keep an ordinary att the Ten Mile Riuer, (soe called,) which is in the way from Rehoboth to the Bay, and likewise injoynd to keep good order, that noe vrullynes or rebaldry be p̄mited there.

The second weeke in August, on the third day of the weeke, is appointed by the Court for the widdow Bassett and Elisha Hedge to appeer att Plymouth to proue the wills and inuentories of the deceased Captaine Hedge and Willam Bassett.

Elisha Hedge, being detected of selling liquor to the Indians, fined three pounds.

Robert Harper, for his rayling and revileing of Mr Thomas Walley, Sen<sup>r</sup>, minnester of the gospell, as appeered by cleare and manifest euidence, was censured by the Court to be whipt att the post, which accordingly was p̄formed.

Memorandum: that Jonathan Cudworth and his wife be sent for, to answare for com̄mitting fōnication with each other; and likewise Elizabeth Adkins, for the same.

Abisha Marchant, for being found to be in bed with Mary, the wife of Morgan Jones, was fined the sume of forty shillings to the vse of the collonie.

Elizabeth Doxey, late seruant to Mr Joseph Tilden, deceased, being deliuered of a child, and charging of Nathaniel Tilden to be the father of it, the said Nathaniel Tilden appeered att this Court to answare to it, and being examined, denyeth it; notwithstanding, the Court saw cause to take securitie of him to saue the towne of Scittuate harmles from any damage that might acrew vnto them by the said child vntill another father appeereth; and a

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warrant was directed to the constables of Scittuate to cause her, the said Doxy, to bee sent as soon as shee is capable to Plymouth, to receiue punishment according to her demeritts.

In reference and in answare vnto the petition of Thomas Sauory, that hee might be admitted to his place of vnder marshall againe; through the vrgencye of the said Sauory, and the concurring desire of senerall whose hands were subscribed to his said petition, the Court was pswaded to admitt him to his place againe; Edward Gray and Wilham Clarke likewise giueing their words for his better pformance of his office then formerly.

[\*31.]

\*Wheras it is manifest to the Court, that twelue acres, more or lesse, of land, which was formerly graunted vnto Gorge Vaughan, lying in Middleberry, in the majors purchase, on the southsyde of Namassakett path, by reason of soïthing impeading, was not recorded vntill now, this Court doth heerby rattify, assure, and confeirne the said twelue acres, more or lesse, of land, vnto the said Gorge Vaughan, and ordered it to be heer recorded.

It was agreed att this Court, agreed and concluded by and between the agents of Namassakett and the towne of Duxburrow, that the bounds between Duxburrow and the majors purchase shalbe from two smale red oake trees marked that are att the northwest corner of Joneses Riuer Pond, and from thence on a straight line to the Indian Head Riuer Pond, where the brooke runs out of the pond.

Wheras it is euident to the Court, that a certaine tract or p̄sell of land, called Old Cookes Holes, lying att Joneses Riuer meddow, was formerly graunted vnto Francis Cooke, of Plymouth, deceased, in the liew of some land which is supposed would haue fallen within his line att the Smelt Brooke, but is not fully settled on the said Cooke and his heires and assignes, this Court doth by these p̄sents fully and absolutely settle, rattify, assure, and confeirne the said graunt of land or tract of land, being threescore acres, be it more or lesse, lying att Joneses Riuer meddow, vnto the said Francis Cooke, his heires and assignes, foreuer; which said land was giuen by the said Francis Cooke vnto Richard Wright and Thomas Michell, cōmonly called Old Cookes Holes, and since his decease rattified and confirmed vnto the said Richard Wright and Thomas Michell by John Cooke, the heire vnto the said Francis Cooke, as appears by a writing vnder his hand and scale.

Of the reip<sup>ts</sup>  
of these por-  
tions heer al-  
lowed by the  
Court, see in  
this booke in  
the yeare 1675.

In reference to a controversy betwixt Nathaniel Man and John Cowin, his father in law, both of Scittuate, that wheras the said Man, being heire to an house and land now in the possession of the said Cowin, & hath bine depriued of his right therin euer since the time hee hath bin of age, this Court doth order, with the consent of both p̄ties, that the said Cowin shall remaine

possessed of the said house and land for the tearme of five yeares from the date heerof on condition hee pay, or cause to be payed, the full and just sume of three pounds six shillings and eight pence a yeere vnto the said Nathaniel Man or his order in good and currant pay of the country, att prise currant att the deliuey therof, if hee, the said Cowin, sees cause to keep it the said five yeares, or soc longe of the said five yeares as hee sees cause to keep it ; and incase hee keeps it the said tearme of five yeares, that then, att the expiration therof, hee is to surrender it vp to the said Nathaniel Man. And wheras the wife of the said Cowin hath a right to the thirds of the said lands whiles shee liueth, it is likewise ordered by the Court, that incase the said Cowine shall or doe leaue the said land before the tearme of five yeares aforesaid be expired, that then the said Nathaniel Man shall pay or cause to be payed vnto the said John Cowine or his order the full and just sume of one pound thirteene shillings and four pence a yeere, from the time the said Cowin leaues it vntill the decease of his mother. It is further ordered by the Court, that the said Cowin, during the time of his improuement of the said land, shall not make hauoeke or destroy the timber thereon, but shall onely haue libertie to improue it for frugally building or feneing vpon the said land, and not elsewhere ; and alsoe, that when the said Nathaniel Man can giue a true intelligence to the Court how longe hee hath bine of age, that then the said Cowine is to make good vnto him that which is due for rent for the time past.

Wheras Cap<sup>t</sup> Willett, Leiff Hunt, Ensigne Smith, and Phillip Walker, or any three of them, were requested and appointed by the Court to take some paines in settling matters about the estate of Richard Bullocke, deceased, Cap<sup>t</sup> Willett being from home, the other three settled all matters between the widdow Bullocke and her son in law, Samu<sup>e</sup>ll Bullocke, as followeth, viz<sup>t</sup> : the said widdow Bullocke is to haue the house and home lott, and a little island containing half an acree of salt marsh that lyeth neare the house, and one acree of vpland, for her selfe and her heires for euer ; and for the tearme of her life shee is to haue the vse of five and twenty pounds comonage, and the vse of one acree of broken vp ground three yeares.

And in reference to the remaining p<sup>te</sup> of the estate not disposed of, the Court haue ordered, that the widdow shall pay such debts as are owing therfrom, and giue notice to the Court of what remains, that soe they may compare it with the inuentory, and settle it in the best way they can.

\*Wheras the Court hath ordered, that all the tarr made in the gofiment shalbe sold to some psens within the collonie, if any such will giue eight shil-

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 PIERCE,  
 GOV<sup>r</sup>.

This agree-  
 ment was con-  
 sented vnto  
 and approued  
 by the majes-  
 trates, and or-  
 dered heer to  
 be recorded ;  
 and Samu<sup>e</sup>ll  
 Bullocke alsoe  
 freely consented  
 to the aboue-  
 written agree-  
 ment with his  
 mother.

[\*32.]


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PRESENCE,  
Gov<sup>th</sup>.

lings in mony for every smale barrell, and twelue shillings for every great barrell, during the full tearme of two yeares, and that during the said tearme noe tare shalbe transported or sold out of the collonie by any pson whatsoever but by or vnder those that engage to giue as aforesaid, vnder the forfeiture of all such tarr soe transported or sold, or the vullue of it; the one halfe to the collonie, the other halfe to the psons engaging as aforesaid. Wee whose names are heer vnderwritten, takinge the sence of the Court to be, that the aforesaid tarr shalbe deliuered to some one of vs, or some one of our order, att the water syde in each towne, whervnto it shalbe brought in good, marchantable caske, and vpon due tryall made, found to be marchantable tarr, doe engage to pay or cause to be payed the said sume of eight shillings p smale barrell, and twelue shillings p great barrell, for all such tarr made, conditioned, and deliuered as aforesaid, vntill the full tearme of two yeares aforesaid shalbe expired.

Dated the 24<sup>th</sup> of June, 1670.

THOMAS HINCKLEY,  
JOHN FREEMAN,  
RICHARD BOURNE,  
THOMAS HUCKENS,  
WILLIAM CLARKE,

The marke  of EDW: GRAY,  
SAMUELL STURGIS,  
WILLIAM SWIFTE.

By order from  
some of the  
majestrates  
this last clause  
was added Au-  
gust the 11th,  
1670.

This Court doth accept of the abouemencioned engagement, and doe heerby order and declare the Court order abouesaid relating therunto to take place according to the sence therof aboue declared imediately from and after the 10<sup>th</sup> of this instant July vntill the tearme of two yeares shalbe fully expired; alsoe, M<sup>r</sup> John Freeman being to take of all the tarr made within the liberties of Eastham which shalbe brought to him or his order, and to pay the prise abouenamed p barrell to such as shall deliuer it conditioned as abouesaid; and Samuell Sturgis to doe the like for the liberties of Yarmouth; and M<sup>r</sup> Thomas Hinckley and Thomas Huckens to doe the like att Barnstable; and Richard Bourne and William Swift to doe the like for Sandwich; and Edward Gray and William Clarke to doe the like for Plymouth and all the western townes of the collonie; John Cobbs, of Taunton, being the place of deliery of what tarr shalbe made within the liberties therof. And for the better pformance of the pmisses, and the advancement of the publike good therin, this Court doth charge and require all coopers respectiuely, to see that all the caske they make be sufficiently good and tite, and according to the

accustomed size of late in vse amongst us, as they will answare the contrary att their prills; and that all that shall bring in and deliuer any tarr as aforesaid doe see to it that they deliuer their tarr in good, sufficient, tite caske as aforesaid, which said caske are not to be lesse than will containe sixteen gallons, beer measure.

1670.

5 July.  
PRENCE,  
GOU<sup>r</sup>.

*August 11<sup>th</sup>.*

\*Att a meeting of the Goũ and seuerall of the majestrates of this jurisdiction in the nature of a special Court, appointed by the Court held att Plymouth the fift day of July last past before the date heerof, —

[\*33.]

Att this Court Elisha Hedge appeered, and produced, according to order, the will and inventory of the estate of Cap<sup>t</sup> Wilłam Hedge, late deceased; which were proned, and tres of adminnestration graunted to him, the said Elisha, to adminnester on the said estate.

Att this Court, likewise, Mistris Mary Bassett, widdow, appeered, and produced, according to order, the inventory of the estate of M<sup>r</sup> Wilłam Bassett, of Sandwich, late deceased, which inventory was likewise orderly proned; but before letters of adminnestration were graunted vnto her, the said Mary Bassett, the Court saw cause to take an engagement of her in the behalfe of the children of the said Wilłam Bassett as followeth: —

August the 11<sup>th</sup>, 1670. Mistris Mary Bassett, widdow, the relict of Wilłam Bassett, of Sandwich, late deceased, coming before the majestrates of this jurisdiction to proue the inventory of the estate of her deceased husband, Wilłam Bassett aforesaid, doth before them heerby engage to sett apart and reserue the sume of two hundred pounds out of the said estate for the vse and benefitt of her children, to be desposed off to them, with the advise of the Court, as they, the said children, shall come to be of age; provided, that if in the interem any great damage shall befall the said estate, that then it shalbe considered of by the Court to be abated as reason shall require.

Tres of adminnestration was graunted to Mistris Mary Bassett to adminnester on the estate of M<sup>r</sup> Wilłam Bassett, of Sandwich, late deceased.

Att this Court an Indian called Wilłam, the son in law of Cawsetan, appeered, and complained that the oxen of Leiftenant Ellis had broken in to his corne att Breake Hart Hill, and produced the testimony of Elisha Hedge and John DAVIS to prone it; whoe doe testify, that viewing the damage, they adjudged it to be about six bushells, and affirmed that the fence about the said corne is good.

The bounds of the land graunted formerly by the Court vnto John Mor-

1670.

11 August.  
PRENCE,  
Gov<sup>r</sup>.

ton, Seni<sup>r</sup>, viz<sup>d</sup>: a p̄sell of land lying in that which is cōmonly called the Majors Purchase, att Namassakett, ranging vpon the easterly syde with Jonathan Dunhams land, and soe rūning north and south nearest with the said land, and soe extending from the old Indian path on the south end, and soe to the country road on the north end, and soe vnto a red oake marked standing att the easterly corner, and soe from the said tree to another red oake tree standing on the southerly corner, onely excepting a smale gore of land belonging to Captaine Mathew Fuller, which is within these bounds.

Further, the Court haue graunted vnto the said John Morton another p̄sell of land within the said Majors Purchase att Namassakett, lying on the southwesterly syde of the said Jonathan Dunhams land, and to range with the said land of Jonathan Dunham three score pole from the aforesaid country road, and soe to extend from the said Jonathan Dunhams land still on the southwesterly syde vnto a great rocke well knowne which stands neare vnto the said country road, and the said rocke to be a bound on the northwest corner, and soe from thence to a white oake tree marked standing on the south-east corner.

John Marchant, Seni<sup>r</sup>, is approued by the Court to be lieftenant of the milletary companie of Yarmouth.

Elisha Hedge, for selling liquor to the Indians, fined fifty shillings.

Abisha Marchant, for being in bed with Mary, the wife of Morgan Jones, fined forty shillings.

[\*34.]

\*In reference to the complaint of diuers of the inhabitants of Rehoboth, that they were oppressed in being soe high rated for their lands lately purchased of the collonie on the northerly syde of the towne, that it did greatly frustrate the intent both of the buyers and sellers, which was principally for the accomodation of the poorer sort with land, and yett soe as not to oppresse them as much otherwise, —

The Court doe determine, that the mile and halfe that was giuen as an enlargement to the towne of Rehoboth be layed to that towne for their easment in rates and charges, but to be rated according to the way the Court order prouided, and not according to that townes singular way of rating; —

And that all the rest of the north lands within their purchase, both farmes and else, be rated seuerall and apart from the said towne, viz<sup>d</sup>, thirty shillings towards a forty pound rate to the collonie; and according to that proportion, and not otherwise, to be charged to the minnistry and other town charges, vntill the Court shall see cause otherwise to dispose concerning them, vntill which time they shall alsoe be and remaine within the constablericke of the township of Rehoboth.

And whereas those lands on the northsyde of Rehoboth were sold and by deed passed ouer to the propriators of that towne, viz<sup>d</sup>, to all that hold lands there, from a fifty pound estate and vpward, yett by mutuall consent and agreement amongst themselues, all the inhabitants were taken in to be joynt purchasers, it is determined that the names of such as were not comprehended in the aboue mensioned deed shalbe entered in their towne record, and in the publicke record of the collonie alsoe, if they desire it, as full and equall purchasers and propriators in the said lands with the rest.

In reference to a controuersy arising betwixt the townshipes of Rehoboth and Swansey about the rateing of lands which belonge to the inhabitants of one of them lying within the line of the other, —

This Court, according to a power reserued to them in the graunt of Swansey township, as by record appeers, haueing heard the pleas by the agents on both sydes, and vpon mature consideration, doe order and determine, for a finall settlement of the said controuersy, as followeth, viz<sup>d</sup>: —

1. That the meddowes co<sup>m</sup>monly knowne by the name of the Hundred Acree Meddows, although they lye within Swansey line, yett to belonge to the township of Rehoboth, and there to be rated as they haue bine vsed to be, and not vnto Swansey.

2. That the meddowes belonging to Sowansett, commonly called the Fiue Ten Acree Lotts, lying within the line of Rehoboth, shalbe and belonge to the township of Swansey, and there to be rated, and not vnto Rehoboth.

3. That the rest of the lands be rated to each township respectiueally as they be and shall fall within their line.

*\*Att the Court held att Plymouth, for the Jurisdiction of New  
Plymouth, the 29<sup>th</sup> of October, 1670.*

29 October.

[\*35.]

BEFORE Thomas Prence, Esquire, Gour<sup>t</sup>,

John Aldin,

Josias Winslow,

Willam Bradford,

Thomas Hinckley,

John Freeman,

Nathaniel Bacon, and

Constant Southworth,

Assistants, &c.

**A**T this Court, Captaine Thomas Willett, M<sup>r</sup> James Browne, M<sup>r</sup> John Allin, John Butterworth, and Willam Albey were impowered by the Court to haue the disposing of lands within the township of Swansey, and for

1670.

29 October.  
PRENCE,  
GOU<sup>R</sup>.

the admission of inhabitants into the said towne; and this trust and power respecting the premises to bee att the dispose of the said men nominated vntill the Court shall cause otherwise to order.

In reference vnto the complaint against John Miller, of Yarmouth, for challenging a mare contrary to order of Court, which hee att present can not proue to be his, the Court haue ordered, that hee shall see the said mare forth coming vpon demaund; and if hee can cleare vp that shee is his, that hee repaire with such euidence to Mr Hinckley and Mr Bacon, and they to returne the same vnto the Court; & if they approue it, then hee, the said Miller, is to retaine the said mare; if otherwise, the Court to take order about her for the dispose of her according to the order of Court.

Wheras the widdow Elizabeth Bullocke, of Rehoboth, hath with care and industry brought vp diuers smale children hitherto since the decease of her husband, and still is carefull and industrious to bringe them vp, some of them being yett smale; and that it doth appeer to the Court, that the debts due from the estate are for the most parte defrayed, and ther being left three coves and a mare of the estate; the Court haue ordered and settled the said cattle vnto the said widdow, Elizabeth Bullocke, in reference vnto the bringing vp of the said children.

In reference vnto one Rowland Wills, brought into the towne of Scittuate by John Williams, whoe hath liued diuers yeares from his wife, the Court  
^ that the said Wills may stay in Scittuate if hee please vntill his next cropp is reaped; and hee haueing now engaged that hee will send for his wife in the interem; which incase shee come, and that hee procure libertie of the towne and approbation of the majestrates to stay, well; if otherwise, to depart the goūment; and in the mean time the said John Williams standeth heerby engaged to saue the towne of Scittuate from any damage that may acrew vnto them by the said Rowland Wills as longe as hee liues on the farme, or vntill his tearme is out.

This Court hath appointed and haue giuen letters of adminnestration vnto John Nelson and Samuell Wood to adminnester on the estate of Henry Wood, of Middlebery, late deceased.

Att this Court, John Louell, Junir, with the consent of his father, John Louell, Senir, of Rehoboth, made choise of Joseph Siluester, of Scittuate, to be his guardian, which was approued by the Court.

Ester Siluester came before this Court, and made choise of John Louell, Senir, aforesaid, to be her guardian, which was approued by the Court.

Att this Court, David Wood, Joseph Wood, and Benjamine Wood did make choise of John Morton, Senir, and Leiffenant Morton, to be their guardians, which was approued by the Court.



Daniel Ramsden, for selling liquor to an Indian, fined fifty shillings mony.

\*Att this Court, Wilham Rogers, for comitting fornication before marriage, was centanced to pay five pound in mony or be whipt.

Att this Court, Edward Jenkins was ordered to pay three pounds for and in the behalfe of his daughter, Mary Adkinson, whoc is fined for haueing carnall coppulation with her husband, Marmeduke Adkinson, before marriage and before contract; and the said sume being payed, shee is then freed from appeerance att the Court to answare for that fact.

Att this Court, Jabez Snow and his wife were fined the sume of ten pounds for haueing carnall coppulation with each other before marriage.

Att this Court, John Cooke, for breaking the Sabbath by vnnesesary traelling theron, was fined ten shillings.

Att this Court, Wilham Hincksman, for breaking the Sabbath by carrying of wood, was fined ten shillings.

Memorand: that a barrell of powder that Duxburrow borrowed of the country the last generall training was now payed.

Att this Court, Humphery Johnson demaunded his charges expended about an action wherin hee was nonsuited.

In like mañer, alsoe, did Nathaniel Turner.

Att an ocaionall meeting of two of the majestrates with the Goñ, on the 12<sup>th</sup> of December, 1670, in reference vnto the complaint of Timothy White, of Scittuate, against Thomas Hart, that hee hath stollen seuerall things from him att Scittuate, the said ^, vpon examination confessing the same, was centanced by the Goñ and Assistants aforesaid to returne the said goods againe to the said White, and did alsoe order him to pay the sume of twelue shillings vnto him for charges hee hath bin att in procecuting against him; and wheras two smale inconsiderable ruggs are found to appertaine vnto the said Hart, the said majestrates haue ordered them to be disposed for p̄sent into the hands of James Cole, soe as that if any will redeem them, and giue more then twelue shillings for them, they may haue them, and giue or pay the ouerpluse to the said Hart; and the said Thomas Hart, for his pilfering and stealing of the p̄ticulars aforesaid, together with his intollerable lying in his examination about the same, hee was centanced by the authoritie aforesaid to be seuerely whipt att the post, which accordingly was p̄formed.

1670.

29 October.  
PRENCE,  
Gov<sup>r</sup>.

[\*36.]

1670-1. \*At the Court of his Ma<sup>tie</sup> held att Plymouth, for the Jurisdiction of New Plymouth, the 8<sup>th</sup> of March, 1670.

8 March.  
PRENCE,  
Gov<sup>r</sup>.  
[\*37.]

BEFORE	Thomas Prence, Esquire, Gov <sup>r</sup> ,	Thomas Hinckley,
	John Alden,	John Freeman,
	Josias Winslow,	Nathaniel Bacon, and
	William Bradford,	Constant Southworth,
	Assistants, &c.	

ATT this Court, proclamation was made that if any can lay any just claime vnto any debt due from the estate of William Bassett, of Sandwich, they are to come in and demaund it betwixt this date and the Court of his ma<sup>tie</sup> to be holden att Ply<sup>n</sup> in July next.

Att this Court, Mary Bassett, Jun<sup>r</sup>, made choise of Major Winslow to be her guardian.

And William Bassett, Jun<sup>r</sup>, made choise of M<sup>r</sup> Hinckley to be his guardian, which was approved by the Court.

Att this Court, Hannah Hull made choise of Joseph Holley and Nathaniel Fitsrandall to be her guardians, which was approved by the Court.

Att this Court, Benjamine Silvester came into the Court, and made choise of Joseph Silvester and Israell Silvester to be his guardians, which was approved by the Court.

John Williams doth heerby stand bound and ingaged vnto the Court in the sume of ten pounds in the behalfe of Peter Worthylake, now in durance att Plymouth, whoe was arested att the suite of Captaine William Hudson, of Boston, that hee, the said Worthylake, shall answare the complaint of the said Captaine Hudson according to the tenor of the warrant, if hee agrees not with him before.

In reference vnto the p<sup>s</sup>entment of John Sutton, of Scittuate, for that the said Sutton, on Thursday the weeke before July Court last past, went into Mistris Elizabeth Tildens parlour early in the morning, and opened her chest where her mony was with an intent to take mony out of it, —

Hee was fined the sume of forty shillings to the vse of the collonie, and to find surties for his good behavior ; but being not able to giue securitie any otherwise then by himselfe, the Court accepted his owne bond.

Released.

John Sutton acknowledgeth to owe vnto our sou <sup>l</sup> lord	} <sup>ii</sup> 40 : 00
the Kinge the sume of . . . . .	

The condition, that if the said John Sutton be of good behavior towards

our soū lord the Kinge and all his leich people, and appeer att the Court of his ma<sup>tie</sup> to be holden att Plymouth the first Tusday in June next, and not depart the said Court without lycence; that then, &c.

1670-1.

8 March.  
PRESENCE,  
GOV<sup>r</sup>.

James Pursevall, for his contempt of authoritie in nott departing the collonie according to order, and for his making an escape from one with whome hee was sent, in reference to his goeing to Verginnia to cleare himselfe of suspicion of haucing a hand in ruīing away with a boate, &c, hee was centanced to pay a fine of five pound.

Wiltam Hedge, John Gray, and Edward Sturgis, for breakeing the Sabbath by sailing from Yarmouth to Boston on the Lords day, were fined each of them thirty shillings.

John Gray, for breaking the Kinges peace in striking of John Hawes, was fined the summe of three shillings and four pence to the vse of the collonie.

John Mathewes, Samuell Mathewes, Samuell Gray were guilty, att the same time as those abouenamed, in prophaning the Lords day, and to be summoned in to answare it.

In reference vnto an Indian called Will, for his vsufferable, insolent carriage in oposing of and strikeing att the constable of Yarmouth with an axe, &c, was fined twenty shillings.

\*Wiltam Griffin and Richard Michell, both of Yarmouth, for fighting together, and therby breaking the Kinges peace, were fined each 3<sup>s</sup> 4<sup>d</sup>. [38.]

In reference vnto the complaint against John Sprague, that about the begiīing of December last hee did highly misdemean himselfe in the house of James Cole, of Plymouth, near vnto or on the evening before the Sabbath day, in drinking, gameing, and vneiuell reuelling, to the dishonor of God and the offence of this gofiment, by his gameing and bringing in off a mare inciuilly into the parlour of James Cole aforsaid, for which said misdemenors hee was centanced to sitt in the stockes two houres, which accordingly was pformed; and for his being there the greatest pte of the afternoon vntill the euening, hee was <sup>^</sup> five shillings.

Richard Tayler *Tayler*, for his being in companie of the said Sprague and others the greatest pte of the afternoone aforsaid, and siting tippling with them, and by his psence abeting them in their euill practices, was fined ten shillings to the vse of the collonie.

Nathaniel Tilden, for vnciuell carriages with Elizabeth Doxey, hee was fined forty shillings.

Att this Court, one whoe called himselfe Wiltam Thomas, for pilfering of tobacco from Edward Gray, was centanced to be whipt att the post, which accordingly was inflicted; and hee is ordered alsoe to pay twenty shillings to

1670-1. Edward Gray, and to defray the charges of his imprisonment, and to depart the goūment.

8 March.  
PRENCE,  
Gou<sup>r</sup>.

Att this Court, Samuēll Packer, Seni<sup>r</sup>, was lycenced and authorized by the Court to keep an ordinary att Bridgwater, and to be provided competently for the accomodateing of strangers, and to keep good orders in his house in that behalfe.

Att this Court John Cowin, of Scittuate, appeered, being bound ouer to answare for speaking of contemptable words against royall authoritie, in that hee should say hee scorned to be in subjection to any English man, and that there was neuer any Kinge in England that was an English man but one crookedbacked Richard, a crooked rogue, just like such an one as hee named, viz<sup>d</sup>, a crooked man well knowne in the towne of Scittuate. Diuers testimonyes came in against him, which testified on oath the same in substance aboue enserted; but because the seuerall evidences could not att this Court appeer to testify the words to his face, and for that the ease is rare, and the Court being willing to gaine healpe and aduise from others as much as may be in it, it was refered vtill June Court next, and the said Cowin to be kept in durance vtill then.

James Cole, Juni<sup>r</sup>, is allowed by the Court to keep an ordinary att Plymouth, and is required by the Court to keep good order in his house, that there be noe reuelling there, nor that hee suffer any of the inhabitants to stay drinking past the time allowed by the Court.

1671. \**Att the Generall Court of Election held att the Toune of Plymouth the fift Day of June, Anno Doñi One Thousand Six Hundred Seauenty and One.*

5 June.  
[\*39.]

BEFORE Thomas Prence, Esq<sup>r</sup>, Gou<sup>r</sup>,  
John Aldin,  
Josias Winslow,  
Willam Bradford,

Thomas Hinckley,  
Nathaniel Bacon, and  
Constant Southworth,

Assistants, &c.

**T**HOMAS PRINCE, ESQ., was chosen Gou<sup>r</sup> of the jurisdiction of New Plymouth, and sworne.

Mr John Alden,  
 Major Josias Winslow,  
 Captaine Willam Bradford,  
 Mr Thomas Hinckley,  
 Mr John Freeman,  
 Mr Nathaniel Bacon, and  
 Mr Constant Southworth,

} were chosen to the office of Assistants, and  
 sworne.

1671.

5 June.  
 PRENCE,  
 Gov<sup>r</sup>.

This Court have ordered, that if God should take away the Goũ by death, or otherwise depriue us of his healp by absence, or other bodily weaknes disable him to discharge his place, that in such case the next eldest majestrate to serue in the office of a deputy Goũ for this p̄sent yeare, as the Goũ might and ought for to doe.

Thomas Prince, Esq̄, }  
 Major Josias Winslow, } were chosen Com̄issioners.  
 Mr Hinckley next in nomination.  
 Mr Constant Southworth was chosen Treasurer, and sworne.

The Names of the Deputies of the seuerall Townes of this Jurisdiction whoe serued theratt and att the Adjournments therof.

Robert Finney,	Willam Crocker,
Leift Ephraim Morton,	Thomas Huckens,
Mr Josias Standish,	Ensigne Marke Eames,
Willam Paybody,	Anthony Snow,
Cornett Robert Studson,	Mr Stephen Paine,
Isacke Chettenden,	Willam Sabin,
Mr Edmond Freeman, Junir,	Josias Cooke,
Willam Harvey,	Thomas Paine,
Willam Witherley,	John Willis,
John Thacher,	John Russell,
John Miller,	Mr James Browne:

The Constables of the seuerall Townes.

Plym̄,	Jacob Cooke.
Duxburro,	Benjamine Church.
Scitt:,	{ Anthony Collymore,
	{ John Ensigne.
Sand,	Steuen Skiffe.



1671.

5 June.  
PRENCE,  
GOU<sup>r</sup>.

Taunton, . . . . .	{	Leif <sup>t</sup> Mace,
		Rich Williams,
		Walter Dean,
		James Walker,
		Wiltam Harvey.
Yarmouth, . . . . .	{	M <sup>r</sup> Edmond Hawes,
		M <sup>r</sup> Thomas Howes,
		Edw <sup>o</sup> Sturgis, Seni <sup>r</sup> ,
		John Thacher,
		John Miller.
Barns <sup>t</sup> , . . . . .	{	Leif <sup>t</sup> Laythorpt,
		Thomas Huckens,
		John Tompson.
Marshf., . . . . .	{	Ensigne Eames,
		Anthony Snow,
		John Bourne.
Rehoboth, . . . . .	{	M <sup>r</sup> Steuen Paine, Seni <sup>r</sup> ,
		Leif <sup>t</sup> Hunt,
		Ensigne Smith.
		Nicholas Snow.
		Daniel Cole,
Eastham, . . . . .	{	Thomas Paine,
		Jonathan Sparrow,
		Marke Snow.
		John Willis,
Bridg <sup>w</sup> , . . . . .	{	Leif <sup>t</sup> Haward,
		John Carey.
Dartmouths, . . . . .		Was omitted this yeare.
Swansey, . . . . .	{	M <sup>r</sup> James Browne,
		Hugh Cole,
		Samuell Luther.

Surveyors of the Highwaies.

Plymouth, . . . . .	{	Joseph Warren,
		Daniell Dunham,
		John Dotey.
Dux <sup>t</sup> , . . . . .	{	John Wadsworth,
		Samuell West.

1671.

5 June.  
PRENCE,  
GOU<sup>R</sup>.

Scittã, . . . . .	{ Richard Curtis, James Cudworth, Jun <sup>r</sup> , Joseph Silvester.
Sand, . . . . .	{ Ralph Allin, Sen <sup>r</sup> , John Blackwell.
Taunton, . . . . .	{ John Maycomber, Enecrease Robinson.
Yarmouth, . . . . .	{ Edward Sturgis, Sen <sup>r</sup> , Joseph Howes.
Barnst, . . . . .	{ John Davis, Samuell Hinckley.
Marsh, . . . . .	{ Nathaniel Thomas, Micaell Foard.
Rehõ, . . . . .	{ James Reddaway, John Perram.
East, . . . . .	{ Nicholas Snow, Gyles Hopkins.
Bridgwater, . . . . .	{ John Eames, Sen <sup>r</sup> , John Haward, Sen <sup>r</sup> .
Dartmouth, . . . . .	{ William Palmer, Henry Tucker, Richard Sisson.
Swansey, . . . . .	{ Nathaniel Peecke, Joseph Carpenter, Zachariah Eedey.

[\*41.] \*The psons appointed in each Towne to see to the Gathering in of the Min-  
nisters Maintainance, and to payed vnto them satisfactorily and  
seasonably both for Time and Specie.

Plymouth, . . . . .	None.
Duxburrow, . . . . .	None.
Scittuate, . . . . .	{ John Turner, Sen <sup>r</sup> , Edward Jenkins
Sandwich, . . . . .	None.
Taunton, . . . . .	{ William Witherell, Samuell Smith.
Yarmouth, . . . . .	{ Samuell Ryder, John Miller.



Barnst̄,	. . . . .	{	M <sup>r</sup> Hinckley,
			M <sup>r</sup> Hucksens.
Marshf.,	. . . . .	{	M <sup>r</sup> Josias Winslow,
			Thomas Doged.
Rehoboth,	. . . . .	{	Leiff Hunt,
			William Carpenter.
Bridgwater,	. . . . .	{	John Willis,
			Leiff Haward,
			Samuell Paker, Seni <sup>r</sup> .

1671.  
 5 June.  
 PRENCE,  
 Gov<sup>r</sup>.

In reference vnto the towne of Dartmouth, it is ordered by the Court, —

That wheras a neglect, the last yeare, of the gathering in of the sume of fifteen pounds, according to order of Court to be kept in stocke towards the support of such as may dispence the word of God vnto them, it is againe ordered by this Court, that the sume of fifteen pound be this yeare leuied, to be as a stocke for the vse aforsaid, to be deliuered vnto Arther Hathewey and Sarjeant Shaw, to be by them improued as oppertunity may p<sup>s</sup>ent for the ends aforsaid.

It is enacted by the Court, that if any Indian or Indians shalbe found to haue any powder or shott, armes or liquors, and will affirme that they had it of this or that pson of the English, or that by concurring cercomstances equiulent it is probable they had it of such English, if the said pson shall vpon his oath testify that hee or shee hath not sold, giuen, or healded the said Indian, or any other Indians, vnto the said powder, or shott, or liquors, they shalbe accompted free and cleare of the said fact, or otherwise to be rendered guilty, and to be proceuted accordingly, and this tryall to be before a majes- trate or one of the celect men of the towne.

This law in force against selling powder and shott to Indians.

For the prevention of great abuse by the excessive drinking of liquors in ordinaryes, this Court doth order, that euery ordinary keeper in this gouernment shalbe heerby impowered and required, that in case any pson or psons doe not attend order, but carry themselues vnciuilly, by being importunately desirous of drink when denyed, and doe not leaue the house when required, such ordinary keeper shall returne their names to the next Court, that soe they may be proceuted according to the nature of the offence; and in case any ordinary keeper shall neglect soe to doe, hee shalbe fined five shillings for euery default. It is further ordered by this Court, y<sup>t</sup> some two or three men be appointed in euery towne of this iurisdiction to haue the inspection of the ordinaryes, or in any other places suspected, to take notice of such abuses as may arise in reference to the p<sup>m</sup>ises or otherwise, and make report therof to the Court.

A law.

1671.

5 June.  
PRINCE,  
Gov<sup>r</sup>.

The mens names appointed heerinto in each towne are as followeth :—

Plym̄,	. . . . .	{	Leif. Morton, Serjeant Harlow, Benajah Pratt.
Duxb̄,	. . . . .	{	M <sup>r</sup> Saberry, Francis West.
Scit̄,	. . . . .	{	Cornett Studson, Edward Jenkins, Charles Stockbridge.
Sand̄,	. . . . .	{	James Skiffe, Edward Perrey.
Taunton,	. . . . .	{	James Walker, Aron Knap, John Dean.
Yarmouth,	. . . . .	{	John Welden, Nathaniel Bassett.
Barns̄,	. . . . .	{	John Finney, Seni <sup>r</sup> , James Hamblen, Juni, James Cobb.
Marsh,	. . . . .	{	Ensigne Eames, Thomas Doged.
Rehō,	. . . . .	{	M <sup>r</sup> Steuen Paine, Leif̄ Hunt.
Eastham,	. . . . .	{	Ensigne Smith, Jonathan Sparrow, Thomas Paine.
Bridḡw̄,	. . . . .	{	John Haward, on the plaine. Nathaniel x
Dartmouth,	. . . . .	{	Serj: Shaw, Gorge Soule.
Swans̄,	. . . . .	{	Nicholas Tanner, Nathaniell Pecke.
Middlebery,	. . . . .	{	Jonathan Dunham.

[\*42.]  
A law.

\*It is enacted by the Court, that noe run shalbe sold in this goūment to exceed in prise aboue fiue shillings a gallon, or if retailed, two pence a gill.

It is ordered by the Court, that a jury shalbe impaneled to laye out a new way between a place called Johns Bridge and the meeting of the Three Riuers in the township of Bridḡwater.

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PRENCE,  
Gov<sup>h</sup>.

Libertie is graunted vnto Gyles Rickard, Seni<sup>r</sup>, to draw and sell wine and liquors att Court times for the refreshment and entertainment of strangers, soe as hee keep good order in the sale of it, but withall not to sell any att other times

John Gray, of Yarmouth, for swearing prophanly, was fined fve shillings.

Samuell Mathews, for sayleing from Yarmouth to Boston on the Lords day, fined thirty shillings.

Richard Marshall, for abusing his wife by kiking her of from a stoole into the fier, was centanced to sitt in the stockes during the pleasure of the Court, which accordingly was pformed.

Nathaniel Woodward, for speaking abusive words against M<sup>r</sup> Shoue, the pastour of the church of Taunton, was centanced by the Court to sitt in the stockes during the pleasure of the Court, which accordingly was pformed.

Nathaniel Soule, being detected of telling seuerall lyes which tended greatly to the hurt of the collonie in reference to some p̄ticulars about the Indians, was centanced by the Court to pay a fine of fve pound or to be publickly whipt.

James Cole, Seni<sup>r</sup>, for being found drunke the second time, was fined 10<sup>s</sup>.

Joseph Ramsden, for being found drunke the second time, fined ten shillings.

Willam Walker, for stealing of cloth from Thomas Clarke, of Boston, was centanced to paye double to the said Clarke, and for telling a lye about it was fined ten shillings.

Walter Winsor, for selling liquor to the Indians, fined fve pounds; but vpon consideration of some p̄ticulars about it, it was abated to thirty shillings.

Att this Court, John Cowin was indited for speaking contemptable words against the royal dignity of England, in that hee said hee scorned to be in subjection to any English man, and that there was neuer any Kinge in England that was an English man but one crooked backed Richard, a crooked rogue, just like such an one as hee named, viz<sup>d</sup>, a crooked man well knowne in the towne of Seittuate.

This case being put vpon tryall, the jury brought in not guilty, and soe hee was by open proclamation cleared.

## The Names of the Jury.

sworne,	$\left\{ \begin{array}{l} \text{Mr Micaccl Peirse,} \\ \text{Mr John Gorum,} \\ \text{Mr Allexander Standish,} \\ \text{Ensigne Thomas Leanard,} \\ \text{John Bryant,} \\ \text{Francis Crooker,} \end{array} \right\}$	sworne,	$\left\{ \begin{array}{l} \text{Hugh Cole,} \\ \text{John Wood,} \\ \text{Aron Knap,} \\ \text{Jonathan Dunham,} \\ \text{John Soule,} \\ \text{Edward Dotey.} \end{array} \right\}$
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1671. \*The Names of the psons apointed by the Court to view the Damage done to the Indians by the Horses and Hoggs of the English.

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GOU<sup>r</sup>.  
[\*43.]

Plyñi, . . . . .	{ Serjeant Harlow, James Clarke, Joseph Warren.
Duxb̄, . . . . .	{ The celect men.
Sandwich, . . . . .	{ Esra Perrey, Edward Perrey, Micaell Blackwell.
Taunton, . . . . .	{ John Hathewey, Edward Bobbitt, James Phillips.
Yarmouth, . . . . .	{ The celect men.
Barnsč̄, . . . . .	{ Leifč̄ Laythorp, Thō Huckens, John Tompson, Samuell Fuller, Capč̄ Fullers son.
Relhō, . . . . .	{ Thomas Read, William Sabin, Peter Hunt.
Easč̄, . . . . .	{ The celect men.
Dartmouth, . . . . .	{ John Russell, Gorg Sisson.
Swansč̄, . . . . .	{ The celect men.
Middlebeč̄, . . . . .	{ Gorge Vaughan, John Morton.

[\*44.]

\*The Oath of the Water Bayley.

You shall faithfully serue in the office of a water bayley in the jurisdiction of New Plymouth, and shall carefully obserue such orders of Court as concerns youer said office, with special reference vnto the improuement thereof att Cape Cod and places adjacent; you shall faithfully discharge the trust imposed vpon you in demaunding and receiuing whatsoeuer shalbe due vnto the collonie by such fish as shalbe there taken, and shall seasonably giue in a true accompt thereof vnto the Treasurer yearly. So healp, &c.

Thomas Paine was chosen to be the water bayley of the jurisdiction of New Plymouth, and sworne att this Court.

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Gov<sup>r</sup>.

In answare vnto the petition preferred to this Court by Mr John Prince and Mr Nathaniel Bosworth, of the towne of Hull, allies Nantaskett, in the behalfe of the said towne, to haue libertie to imploy some boates and their companies for the taking of mackerell with netts, att the season therof, att Cape Codd, this Court doth graunt vnto them libertie for two boates and there companies, to take mackerell there att the season therof; soe as they make payment of what is due to the collonie from forraigners, notwithstanding any order of Court extant, prohibiting others to fish there.

\*The Court determines all the guns in our hands that did belonge to Phillip are justly forfeit, and doe att the present order the deniding of them, to be kept att the seuerall townes according to their equall proportionis, vntill October Court next, and then to bee att the Courts di-pose, as reason may appeer to them, and then to belonge vnto the townes, if not otherwise disposed of. By the Court.

[\*45.]

That which the Court grounds their judgment vpon is, —

For that att the treaty att Taunton Phillip and his counsell did acknowledge that they had bine in a preparation for warr against vs; and that not grounded vpon any injury sustained from vs, nor prouocation giuen by vs, but from their owne naughty harts, and because hee had formerly violated and broken sollemne couenants made and renewed to vs; hee then freely tendered (not being in a capacitie to be kept faithfull by any other bonds) to resigne vp all his English armes, for our future securitie in that respect; hee failed greatly in pformance therof by ceckett conveying away and carrying home seuerall guns that might and should have bine then deliuered, and not giuing them vp since, according to his engagement, nor soe far as is in his power, as appeers in that many guns are knowne still to be amongst the Indians that liue by him, and not soe much as giueing order to some of his men, that are vnder his ymediate comāund, about the bringing in of their armes.

In his indeauoring since the treaty to render vs odious to our neighbour collonie, by false reports, complaints, and suggestions.

And his refusing or avoiding a treaty with vs concerning these and other matters that are justly offenciue to vs, notwithstanding his late engagement, as well as former, to submit to the kings authoritie, and the authoritie of this collonie.

It was alsoe ordered by the Court, that the armes of the Indians of Nantassakett and Assowamsett, that were feched in by Major Winslow, and those that were with him, are confiscate and forfeite from the said Indians, for the grounds aboue expressed, they being in compliance with Phillip in his late plott, and yett would neither by our Gov<sup>r</sup>s order nor by Phillips desire, bring

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in their armes, as was engaged by the treaty; and the said guns are ordered by the Court to the major and his companie, for their satisfaction in that expedition.

This Court haue agreed and voated, that some force be raised and sent to the Indians att Saconett, to fech in their armes, and in defect therof their psons, as ocaation may require.

And for the management of this enterprise it is refered to the councill of warr, or soe many of them as shall meet, soe as they be nine in number, viz<sup>s</sup>, the major pte of them concurring.

The Names of such as are aded to the Majestrates to be off the Council of Warr.

Mr Josias Winslow, Seni <sup>r</sup> ,	Leif <sup>t</sup> Morton,
James Walker,	Cornett Studson,
Thomas Huckens,	Ensigne Eames,
Nathaniel Morton,	Isacke Chettenden.

The oath to be adminestred to such as are to be aded to the majestrates to be of the councill of warr, as aforesaid:—

This oath is otherwise ordered; see the orders of July Court, anno 1671, in this booke.

You shall reddily appeer on any sumons directed vnto you by the president of the councill of warr, att such place or places as you shalbe ordered vnto by the said summons, vnlesse any ineuitable prouidence shall or may hinder your said appeerance, on which occations and meetings you shall faithfully, with respect to the glory of God and the good and welfare of this jurisdiction, afoard your best aduice and counsell in all matters of importance and waighty concernment (or soe seeming) that may or shalbe p<sup>r</sup>sented before you; in reference to the continuance of peace or nessesitated warr, as ocaation may require; you shall faithfully keep ceerett all such expeditions and achievements as may or shalbe ordered and contriued by the councill of warr, tending to the generall peace and good of this eollonie of N. Plymouth; you shall with like eecresye conceale all other matters that may be agitated and transacted by the said councill, in reference to the p<sup>r</sup>misses, that shalbe thought meet by the president and councill aforesaid to be concealed. Soe healp you God, whoe is the God of truth, and the punisher of falsehood.

[\*46.]

\*Three shillings a day is allowed for a man and his horse, to all such as were employed in the late expedition for the fetching in of armes from the Indians; and this allowance to be pmanent for the future vntill it shalbe otherwise ordered.

And likewise for any teame of foure oxen and an horse, and a man to

goe with them, that haue bine and are to be employed in the countryes seruice, to haue five shillings a day.

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PRENCE,  
Goc<sup>h</sup>.

In answare to a petition prefered to the Court by M<sup>r</sup> Richard Wharton and M<sup>r</sup> John Saffin, of Boston, marchants, to haue a peculiar libertie to themselves and other p̄tenors to improue such pyne, spruce, and ceder timber as groweth on our country com̄ons, for the producing of rosen, turpintine, and mastick, this Court haue graunted and doe order that the said Richard Wharton & John Saffin, and their p̄tenors, shall haue libertie to improue such pyne, spruce, and ceder trees as groweth on our countryes com̄ons, for the ends aforesaid, for the tearme of ten yeares from the date of this p̄sent Court, held at Plymouth this fifteenth day of June, 1671, on these conditions followeing: —

Imp<sup>r</sup>: Prouided that they and their said p̄tenors procure the like liberties of the other two collonies in confederation.

2. Soe that it proue not destructiue to our said timber to be improued as aforesaid.

3. Prouided that notwithstanding this graunt, it shalbe att the libertie of our owne inhabitants to improue and employ any such timber, viz<sup>3</sup>, pyne, spruce, and ceder, for any other vse, growing vpon any of our countryes com̄ons.

4. Prouided that the said Richard Wharton and John Saffin and their p̄tenors doe sett vpon the said enterprize of producing of turpintine, rosen, and masticke, in this collonie, within the tearme of two yeares from the date of this p̄sent Court aboute mensioned.

These conditions and reseruations being duely obserued, this Court doth heerby prohibite all others within this jurisdiction from improucing of any of the said timber, for the ends aforesaid, for the tearme of ten yeares, begiining from this p̄sent Court, held at Plymouth, the 15<sup>th</sup> day of June, anno Dom̄i 1671.

Richard Dillinga, for breakeing the Kinges peace by striking }<sup>s</sup>  
of Jabeze Howland, was fined . . . . . } 3: 04

The bounds of Jonathan Dunhams land att Namassakett, layed out by Wilam Nelson and Wilam Crow, appointed by the Court, as followeth: —

New Plymouth. Haueing read an order of ye Court of this jurisdiction, bearing date June the 7<sup>th</sup>, 1665, to lay out vnto Jonathan Dunham thirty acres of land in that tract of land called the Majors Purchase, which is on the eastwardsyde of Namassakett Riuer; haueing accordingly layed out, measured, and bounded the said thirty acres, att the east end, next a brooke, with a great white oake, and att the west end, next the said brooke, with a

1671. great white oake, which brooke is on the southsyde of the said land, and the said land is layed out to butt home to the brooke, att the west end; on the northsyde it is bounded with a red oake tree, that hath a red oake bush att the roote of it; and att the northsyde and east end is marked a great white oake, for the bounds therof. October 30<sup>th</sup>, 1665.

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Gov<sup>r</sup>.

WILLIAM CROW,  
WILLIAM NELSON.

Besides an addition joyning to the said land att the northeasterly end of it, between the said land and the old path adjoyning to both, bounded by the said path att the northwesterly corner, between John Mortons land and it, layed out by the order and inspection of Captaine Southworth, whoe procured the said land of the Court for the said Jonathan Dunham.

[\*47.] \*The Indians engagement to the collonie of New Plymouth for their fidelitie vnto the English, agreed vpon amongst themselues the 10<sup>th</sup> of Aprill, 1671, and declared by some of the cheife of them att the Court held att Plymouth the seauenth day of June, 1671.

Wee, the Indians of Paomett, doe engage our fidelitie vnto the gouernment of New Plymouth, that wee will submitt ourselues vnto their gouernment, and if wee vnderstand or heare of any plott or designe contrived against the English, or any pte of them, by any other Indians, wee doe heerby engage to reveale, declare, or discouer it to some one or more of the majestates of New Plymouth. And further, if they haue occasion to make vse of our healp, if any that shall or may come against the English liuing within the gouernment of New Plymouth, wee doe engage to healp them, if they desire or require our assistance, to the sheding of our blood, or the lose of our liues; the like wee engage for our posteritie for euer, that shall succeed vs; and forasmuch as the English and wee, the poor Indians, are of one blood, as Acts 17<sup>th</sup>, 26, for wee doe confess wee poor Indians in our liues were as captiues vnder Sathan, and our sachems, doeing their wills whose breath perisheth, as Psalmes 146, 3, 4; Exodū 15, 1, 2, &c; but now wee know by y<sup>e</sup> word of God, that it is better to trust in the great God and his strength. Psā 118, 8, 9; and besides, wee were like vnto woulues and lyons, to destroy one another; but wee hope and belieue in God; therefore wee desire to enter into couenant with the English respecting our fidelitie, as Isai: 11, 6, and this wee further desire, that if the English should heare any euill report of vs, wherby there might be any occasion of suspision of our fidelity, wee desire it might not be beleied or receiued vntill wee might haue the libertie and oppertunitie to cleare our-









selues; for wee desire to keep our couenant and engagement, if God healpes vs soe to doe.

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And wee, the Indians of Nausett, Sakatuckett, Nobscussett, Paomett, Mannamoiecke, and Wequahutt, and Mattakesett, doe all of vs, for our selues, our neighbors, and our riseing generation, doe engage for ourselues and our neighbors, respecting our fidelitie to the English, as before expressed, concerning the Indians of Paomett in euery respect; vnto the which engagement wee of our respectiue places of Paomett, Sakatuckett, Nobscussed, Mannamoiecke, Mattakesett, and Wequahunt haue heervnto sett our hands this seauenth day of June, 1671, for our selues and in the behalfe of our neighbors in our seuerall places, as is expressed before.

The marke  of M<sup>r</sup> JOHN,  
and QUAQUAQUANSUCKE, of Paomett.  
SAMPSON,  
of Nawsett, is sicke att this time.  
JOHN QUASON TASWOTT,  
of Mannamoiecke, his  marke  
and the marke of SACHEMUS and LITTLE ROBIN, **A**  
and WAHWOONETTSHUNKE,   
The marke of SABATUBKETT,   
The marke of SAMPSON, of Nobscussett,   
KATENAT, allies KEENCOMSETT,  
of Mattakesett, his   
HUMPHERY, of Weequahutt,  
is not come.

The Indians whose names are to the aboue written, subscribed att the Court held att Plymouth the seauenth of June, 1671, came psonally into the Court, and tendered themselues to be subject to the Court, to be in fidelitie, both them and their posteritie, vnto the English; and for the confeirmation therof they subscribed their hands, and the Court ordered that this writing should be recorded.

1671.

\**Att the Court held att Plymouth, the fift of July, 1671.*

5 July.  
PRINCE,  
Gov<sup>r</sup>.  
[\*48.]

BEFORE	Thomas Prince, Esq <sup>r</sup> , Gov <sup>r</sup> ,	Thomas Hineckley,
	John Aldin,	John Freeman,
	Josias Winslow,	Nathaniell Bacon, and
	Wiltam Bradford,	Constant Southworth,
	Assistants, &c.	

**T**HE Court haue deputed and impowered our honored Gov<sup>r</sup>, M<sup>r</sup> Constant Southworth, M<sup>r</sup> Thomas Clarke, and Benjamine Bartlett, or any three of them, to adminnester on the estate of M<sup>r</sup> Wiltam Collyare, deceased, for the payment of debts and legacies, soe farr forth as the said estate will beare, and if in any thing respecting the premises there may be difficulty, and the legatees or psons interested in the said estate doe not agree, in such case the abouesaid adminnestrators shall haue p̄ticular order concerning the same from the Court; and acting according therunto, it shalbe their warrant and discharge.

The Court haue ordered the Treasurer, Captaine Bradford, to impannell a jury att Bridgwater, to lay out the new way to Plymouth, which is judged to be a nearer and better then that which was formerly layed out; and alsoe to lay out such other wayes as are nessesary in the said towne.

The Court haue ordered, that the North Purchase, soe called, shall lye vnto the towne of Rehoboth, vntill it comes to be a township, and in the mean time to beare the seauenth p̄te of all rates that shalbe leuied for the publicke charges of that towne; and when the said purchasé shall become a townshipp by itselpe, then the said townshipp of Rehoboth to be cased in their rates.

The Court haue ordered the Treasurer to pay vnto Samuell Clapp, the late constable of Scituate, for his charge in bringing Wiltam Rogers, of Scituate, to the jayle, twelue shillings.

Wheras fifteen shillings mony was taken away by the Gov<sup>r</sup> from a seruant of James Pursvall, of Sandwich, whoe run away, the Court orders eight shillings of the said mony to be payed to the constable of Bridgwater, for his paynes in bringing him to Plymouth, and the remainder was returned by M<sup>r</sup> Bourne to the said Pursvall.

Arther Hathewey, of Dartmouth, is appointed by the Court to adminnester an oath to any witnes to giue euidence to the grand enquest in that towne, as occasion may require.

In reference vnto the complaint of John Rogers, Seni<sup>r</sup>, of Duxburrow, against Willam Nelson, Juni<sup>r</sup>, Adam Wright, and the Indian Willam, the son of the Blacke Sachem, for takeing vp his mare, and markeing her, and detaineing her, wherby the said Rogers is much damnifyed, the Court doe award the said Indian Willam to pay to John Rogers twenty shillings, and another Indian, called John, being found faulty in the said p<sup>t</sup>iculars, is awarded to pay to the said Rogers ten shillings in currant country pay, att prise currant; and the said Adam Wright and Willam Nelson each of them ten shillings to the vse of the collonie.

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PRENCE,  
Gou<sup>r</sup>.

The next page forward contains an order of the Generall Court holden att New Plymouth, June the 16<sup>th</sup>, 1671, in answare to a petition from many of the inhabitants of Scittuate, dated March the seauenth, 1670, in reference to their vndeuided lands, as followeth:—

\*By an order of this Court of October, 36, it appeers the towne of Scittuate was allowed, and the purchasers and freemen were comissionated, to dispose of the lands therof for the accomodation of a society or township; and what such trustees did within the compas of their comission or order must be allowed and owned. But it appeers not to vs, that it was in their power by that order to deriue and pas ouer their power and trust in whole or in p<sup>t</sup>e vnto others, neither did they since procure the allowance of this Court soe to doe; and therefore wee judge their acte of the 13<sup>th</sup> of December, 47, to be vnwarrantable and inuallid, wherin they resigne vp the power of disposing of the townes lands vnto the whole inhabitants of the towne; and that if then they would and did lay downe their comission, it did att the same instant returne to the Court, from whence it was receiued; and the Court doth now declare their acceptance and confeirmation of what the said trustees did vnto the said 13<sup>th</sup> of December in reference vnto any graunts of lands that they made in propriety vnto any inhabitants of that place, and doe further allow of and by our p<sup>s</sup>ent acte confeirme all after graunts of lands in propriety that haue since that time bin made by the towne, (although not soe regular and orderly as should haue bin;) and takeing notice by many suites, contestes, plaints, and petitions, that the said towne are very vnsettled and vnresolved vnto whom the right of comons appertaines, and that by reason therof many vnworthy p<sup>s</sup>ons in that towne take advantage to make stripp and wast of their timber, to the townes great damage and prejudice, and because such appeers to be the condition of that towne that they can not of themselues reclaime nor suppress such trespassors, nor settle the right of the comons for their future peace, this Court, vpon the grounds aboue mensioned, and as fathers of the comon wealth

[\*49.]

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PRESENCE,  
Gou<sup>n</sup>.

being also studious of the peace and prosperitie of that plantation, not seing any other or better way to effect theire settlement in reference to the p̄mises, doe see reason to order, and doe heerby appoint, that a com̄ittee of eight meet p̄sons, whoe are supposed propriators of that towne, be indifferently chosen out of both p̄ties to debate, determine, and settle the matter, soe much in controuersy, respecting youer right in com̄ions theire proportion, and to provide such orders as may be effectuall to preserue the towne from ruine and spoile as respecting the same; and two or three of the majestrates wilbe healpfull therin, if desired.

The p̄sons appointed by the Court are, Cap̄t James Cudworth, Cornett Studson, Isacke Chettenden, and Leiftenant Bucke on the one p̄te, and John Turner, Seni<sup>r</sup>, John Turner, Juni<sup>r</sup>, John Bryant, Seni<sup>r</sup>, and John Daman on the other p̄te; and this Court doth com̄issionate and fully authorize and impower the abouesaid eight p̄sons, or any five or more of them concurring, shall order respecting the p̄mises, shalbe valled and binding; and that they apply themselues to issue it between this and next Octobert Court; and if they doe not or can not soe agree as to attaine the end intended, (namly, the settlement of p̄sons according to theire just rights and the p̄seruation of the com̄ions from spoyle,) that they make theire returne to the said Court, whoe hold themselues bound to take what further course the case may require for the townes good; and what nessesary charge may arise in the proceccution of this order, to be bourne by such as haue interest in the vndeuided lands of the towne of Scittuate according to theire seuerall proportions therin.

It is not intended by this order that the saw mill built by M<sup>r</sup> Tilden and others should be deprived of any just priviledg thervnto appertaining by ver-tue of the townes order or contract with the builders.

Dated at Plymouth the 16 of June, 1671.

- [\*50.] \*A Declaration of an Engagement by the Indians inhabiting att Mashpee, Satuit, Wakoiett, Wakatasso, Caukolchise, Asheniuit, Saconess, and Mannomett, with diuers others neare adjoyning vnto the Goūment of New Plymouth, for theire Fidelitic, with theire Children and succeeding Generations, and likewise the Indians liueing att Mannomett Ponds, Breakchart Hill, and the Rest of the Indians neare adjoyning.

Forasmuch as wee, poore Indians, were a people delighting in warr and the confusion one of another, but now wee haueing found the benefitt of peace

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5 July.  
PRENCE,  
Gov<sup>r</sup>.


by your favorable protection towards vs for these many yeares past, and haueing some time since intended to tender our fidelitie vnto this honored Court, but could not soe conveniently accomplish the same vntill this time, and as wee hope some of vs, haueing receiued the faith of the gospell of Christ, and taught to seeke for peace and cast of our lyon like spiritts, as Esayah 11: 6, 7, 8, 9, and that wee noe more be strangers and forraigners, but by the grace of Christ revealed in the gospell wee hope to be of the household of God, Eph. 2: 19, doe therefore vnanimously agree to submitt ourselues vnto your goũment, and to engage our fidelitie not to doe any thinge that may be destructiue to this goũment; or if wee heare or vnderstand of any pson or psons, either amongst oursclues or more remote from vs, that shall plott, contriue, or attempt your destruction in pte or wholly, wee doe promise and engage to reveale and discouer the same vnto the Gov<sup>r</sup> then in being or to some one of the majestrates, and likewise to be reddey to apprehend any such pson that shall soe doe, and to assist you against any enemie that shall rise vp against you, euen to the losse of our liues, if you stand in need and require our healp.



And, further, wee doe humbly intreat your protection and healp, if that any euill psons should rise vp against vs in an hostile way to destroy a pte or all of vs, forasmuch as wee haue bine enformed of late that some psons haue designed our destruction, not for any hurt that wee haue done vnto them, neither for any propriety that they can challenge to our psons or lands or what wee possesse besides, but onely for that wee are seeking after the knowlidg of the true God and his wayes. These hoping wee shall remaine faithfull vnto you in keeping of our engagement with you, doe conferme it by seting our hands, a pte of vs for our selues and in the behalfe of our frinds and naighbors inhabiting within the lymetts of the foremencioned places.✽

✽ Those that engage for Mashpee, Satuit, and Wakoiett are Kanunnavs.


The marke of  of ASHUWOHANITT,  
for Cokashoise and Waskotassoo.


The marke of  of AKOMONT, for Ashunuit.


The marke  of HOPE, allies POHUNNA,  
for Sakonessc.

The marke  of WEBACOUITT, }  
The marke  QUECHASETT, } Mannomet.

For Mannomet Ponds and Break Hart Hill, with the rest adjoining.

The marke  of WANNO,

The marke of WILLAM KAusetan, 

The marke  of NANUNETT.

1671. \*The Names of diuers Indians inhabiting att Agawaam, Sepecan, & Weweante, with other Places adjoining, whoe engaged their Fidelitie to the Government of New Plymouth, the sixt of July, 1671.

7 July.  
PRENCE,  
GOV<sup>r</sup>.

[\*51.]

Asquibbs.  
Josias, allies Mattampahan.  
Will, allies Washawanna.  
Keesbenopont, allies John Wattaman.  
John, allies Tanashpash.  
Wompees.  
Tom Wampees.  
John Wampees.  
James Wampees.  
Steuen Wampees.  
Tobey Cole, allies Nauhocomwitt.  
Harry.  
Tohquamonshoo.  
Potwhoken.  
Felix.  
Conconwacoo.  
Tautozen.  
Mosnicksuke.  
Nanawatcham.  
Tataquasbant.  
Nanapoo.  
Keewenaan.  
Munucksum.  
Namushwhat.  
Pawmansuke.  
Naunowasin.  
Maumanomdus.  
Paupantsuke.  
Wootachpoo.  
Sampson.  
James Tautisivnbacott.  
Francis Chauchaubin.  
Robin Sankonawwasuke.  
Joseph Munnootunkes.  
John Pickerell.  
Wawoompaquauin.

July 7<sup>th</sup>, 1671.

1671.

7 July.  
PRINCE,  
Gov<sup>r</sup>.

The Oath to be administered to such as are or shalbe aded to the Majestrates to be of the Councill of Warr in this Jurisdiction.

You shall reddily appeer on any summon directed to you by the president of the councill of warr att such place or places as you shalbe ordered vnto by the said summons, vnles any ineuitable Prouidence doth or shall inpead; att which meetings you shall, with respect to the good and welfare of this jurisdiction, giue your best aduice and counsell in all matters of importance, or soe seeming, presented to you in reference to peace or warr; you shall not disclose or discouer any counsell comitted vnto you, but shall conceale all matters that may be agitated and transacted in the said councill in reference to the p̄mises that shalbe thought meet to be concealed by the president and councill of warr. Soe healp you God, whoe is the God of truth and punisher of falchhood.

July 7<sup>th</sup>, 1671. The Names of those that were chosen by the Court to be aded to the Majestrates to be of the Councill of Warr.

sworne.	{	Captaine Mathew Fuller,
		Leiftenant Ephraim Morton,
		Ensigne Marke Eames,
		Cornett Robert Studson,
sworne.	{	M <sup>r</sup> Josias Winslow, Seni <sup>r</sup> ,
		Secre <sup>y</sup> Nathaniel Morton,
		M <sup>r</sup> James Walker,
		M <sup>r</sup> Thomas Huckens,
	{	M <sup>r</sup> Isacke Chettenden.

\*Att a meeting of the councill of warr held att Plymouth for the jurisdiction of New Plymouth, the 8<sup>th</sup> of July, anno Doñi 1671, —

[\*52.]  
8 July.

From this meeting of the councill of warr two messengers were sent with speed to the Indians att Saconett, with propositions as followeth, viz<sup>o</sup>: that if they would engage and pforme to bring in all their English armes within four dayes after notice giuen them; and the cheife of them, viz<sup>o</sup>, Awashunckes, Tatanmanah, Washawam, Wannamuttamett, Mahunnanah, and Wanumvnamin, sachems of Saconett, or any four of them impowered from the rest; in case any of them are by sicknes disabled, and doe psonally come in heer to Plymouth, and acknowledge their offence, and vnder their hands ingage for their future fidelitie, whoe in soe doeing shall haue assurance of their peaceable returne, and the Court satisfied therewith; but if they refuse or neglect

1671.

8 July.  
PRINCE,  
Gov<sup>r</sup>.

to doe the same vpon any p̄tence whatsoever, then to proceed by force to reduce them to reason.

Vpon a supposition that they would not accept of the tearmes proposed, —

It was agreed that a hundred men should be pressed out of the seuerall townes of this jurisdiction in an equall proportion, to be in a reddines att Plymouth on Monday, the seauenth of August next, to *to* goe forth on the said expedition, vnder the comānd of Major Josias Winslow as comānder in cheife.

It was further ordered by the councell of warr, that Leiftenant John Freeman shalbe a second to the major in the said expedition ;

And M<sup>r</sup> Constant Southworth com̄issary ; Captaine Fuller to supply the place of a leiftenant and a sarjeañ ; and M<sup>r</sup> Wiłham Witherell and Elisha Hedge for sarjeants.

It was alsoe agreed, that forty of our trustiest Indians should alsoe be procured to be in a reddines for to goe forth to be healpfull in the said enterprise.

The eight day of August next to be the time of their setting forth ; on which day the townes of Taunton, Rehoboth, Brid̄water, and Swansey are to cause their souldiers that are to be sent forth to giue meeting to the major and the rest of the company att or neare Assonett, about John Tisdalls farme.

It was agreed that the comāder in cheife shall haue allowed vnto him 10<sup>s</sup> a day.

A leiftenant, . . . . . 06<sup>s</sup> a day.

A sarjeant, . . . . . 04<sup>s</sup> a day.

An ordinary souldier, horse and man, . . . . . 03<sup>s</sup> a day.

The Proportions of the Men pressed out of the seuerall Townes of this Jurisdiction to goe forth on the aboue mencioned Expedition.

Plymouth, . . . . . 9	Marshfield, . . . . . 8
Duxburrow, . . . . . 5	Rehoboth, . . . . . 9
Scittuate, . . . . . 14	Eastham, . . . . . 5
Sandwich, . . . . . 10	Brid̄water, . . . . . 5
Taunton, . . . . . 12	Swansey, . . . . . 4
Yarmouth, . . . . . 9	Middleberry, . . . . . 2
Barnstable, . . . . . 10	

69

33

In all, one hundred and two.

[\*53.]

\*It was agreed and concluded, that the ninth day of August, 1671, should be obserued as a sollemne day of humiliation in all the congregations of this



jurisdiction, to seeke the presence and fauor of God, and his blessing on vs on the entended expedition fore mentioned.

1671.

8 July.  
PRESENCE,  
Gov<sup>r</sup>.

This was otherwise ordered by reason of the agreement made with the squa sachem of Saconett, which is as followeth: —

July 24, 1671. Articles of Agreement made and concluded between the Court of New Plymouth and Awashunckes, the Squa Sachem of Saconett, as followeth.

Imp<sup>r</sup>. In that wee are in some measure satisfied with her vaulentary coming in now att last, and with her submitting herselfe vnto vs, yett that wee expect shee should giue some meet satisfaction for the charge and trouble shee hath hitherto put vs vpon by her soe longe standing out against the many tenders of peace wee haue made to her and her people.

And that wee yett see a nessesitie to endeauro the reducement of such as haue bine the incendearyes of the trouble and the disturbance of her peace and ours, and that as many of her people as shall giue vp themselues and armes vnto vs att time appointed shall receiue noe damage or hurt from vs, which time appointed is ten dayes from the date heerof.

And that wee may the better healp her to keep off such from her lands as may heerafter bringe vpon her and vs the like trouble, and to regulate such as will not be gouñed by her, shee hath submitted the disposall of her lands to the authoritie of this gouñment.

And that if the psons and estates of such as wee are nessesitated to take armes against will not defray the charge of the expedition, that shee shall beare some due proportion of the charge. In witnes wherof, and in testimony of the said sachem her agreement heervnto, shee hath subscribed her hand in the pñsence of

James Barker,




The marke



of the Squa Sachem

John Almey,

AWASHUNCKES.

The  marke of Tattacommett,The  marke of Sanponett,The  marke of Tamoneesam, allies Jeffery.

And in reference vnto satisfaction for what trouble and charge the collonie hath bin att respecting the pñmises with her and her people, shee being not able att pñsent to defray any thinge, the counsell of warr accepted her vgrball engagement for the payment of the sume of fifty pounds sterling.

1671.

23 August

[PRENCE,  
GOVERNOR.]

[\*55.]

\*Seuerall Conēusions agreed on by the Councell of Warr att their Meeting held att Plymouth on the 23 of August, 1671, as followeth.

1. The councell of warr, haucing seriously considered of the case in reference to the Phillipe, the cheife sachem of Pacanacutt, hee haucing neglected to answare his ingagement to bringe in his armes att the day appointed, and alsoe in his not coming in to giue the reason therof, being required thervnto, and his vnkind carriages towards vs as otherwise, soe in his indeauoring to insence our naighbour collonie against vs by misinformations, and by his insolent carriages and expressions of vs and against vs, and likewise by his entertaining of many strange Indians which might p̄tend danger towards vs; in special, by his entertaining of diuers Saconett Indians, professed enimies to this collonie, and this against good councell giuen him by his best frinds; the p̄mises considered, doe vnanimously agree and conclude, that the said Phillip hath violated and couenant plighted with this collonie att Taunton in Aprill last.

2. It is vnanimously agreed and concluded by the said councell, that wee are nessesarily called to cause the said sachem to make his p̄sonall appeerance to make his purgation in reference to the p̄mises; which incase of his refusall, the councell, according to what att p̄sent appeers, doe determine it nessesary to indeauor his reducement by force; and inasmuch as the controuersy, which hath seemed to ly more emediately between him and vs, doth concerne all the English plantations, it is therefore determined to state the case to our naighbour collonies of the Massachusetts and Rhode Iland; and if by their waighty advice to the contrary wee are not diuerted from our p̄sent determinations, to signify vnto them, that if they looke vpon themselues concerned to engage in the case with vs against a coōmon enimie, it shalbe well accepted as a naighbourly kindnes, which wee shall hold ourselves obliged to repay when Providence may soe dispose that wee haue oppertunitie.

Accordingly, letters were despatched and sent from the councell, one vnto the said Phillip, the said sachem, to require his p̄sonall appeerance att Plymouth on the 13<sup>th</sup> day of September next in reference to the p̄ticulares aboue mencioned against him; this letter was sent by M<sup>r</sup> James Walker, one of the councell, and hee was ordered to request the companie of M<sup>r</sup> Roger Williams and M<sup>r</sup> James Browne to goe with him att the deliuey of the said letter.

And an other letter was sent to the Gou<sup>r</sup> and Councell of the Massachusetts by the hands of M<sup>r</sup> John Freeman, one of our majestrates, and a third was directed to the Gou<sup>r</sup> and Councell of Rhode Iland, and sent by M<sup>r</sup> Thomas Hinckley and M<sup>r</sup> Constant Southworth, two other of our majestrates, whoe

are ordered by our Councell with the letter to vnfold our p̄sent state of matters relating to the p̄mises, and to certify them alsoe more certainly of the time of the meeting together in reference to engagement with the Indians, if there be a goeing forth, which wilbe on the 20 of September next.

1671.  
 23 August.  
 [PRENCE,  
 GOVERNOR.]

It was further ordered by the Councell, that those formerly pressed shall remaine vnder the same impresment vntill the next meeting of the said Councell on the 13th day of September next, and soe alsoe vntill the intended expedition is issued; vnlesse they shall see cause to alter them, or adde or detract from them, as occasion may require.

And that all other matters remaine as they were in way of preparation to the said expedition, vntill wee shall see the mind of God further by the p̄ticulares forenamed, improued for that purpose.

It was further ordered by the Councell, that all the townes within this jurisdiction shall in the interim be sollicitously carefull to prouid for their safety by convenient watches and wardings, and carrying their armes to the meetings on the Lords dayes, in such manor as will best stand with their p̄ticulares and the com̄ion saftey.

And in p̄ticulare, they ordered, that a guard shalbe prouided for the saftey of the Gou<sup>r</sup>nors pson, during the time of the aboue named troubles and expeditions.

And the Councell were su<sup>m</sup>oned by the presedent to make their psonall apperance att Plymouth, on the thirteenth day of September next, to attend such further busines as shalbe then p̄sented by Providence in reference to the p̄mises.

13 September.

\*On the 13<sup>th</sup> of September, 1671, the counsell of warr appcered according to their su<sup>m</sup>ons, but Phillip, the sachem, appcered not, but in sted therof repaired to the Massachusetts, and made complaint against vs to diuers of the gentlemen in place there, whoe wrote to our Gou<sup>r</sup> by way of pswasion, to aduise the Councell to a compliance with the said sachem, and tendered their healp in the acheiueing therof, declaring in su<sup>m</sup>e that they resented not his offence soe deeply as wee did, and that they doubted whether the coucnants and engagements that Phillip and his predecessors had plighted with vs would plainly importe that hee had subjected himselfe and people and country to vs any further then as in a naighborly and frindly correspondency.

[\*56.]

The Councell, haucing deliberated vpon the p̄mises, dispatched away letters declaring their thankfull acceptance of their kind proffer, and invited the com̄issioners of the Massachusetts and Co<sup>n</sup>ecticut, (they then being in the Bay,) & some other gentlemen, to come to Plymouth and aford vs their help; and accordingly on the 24<sup>th</sup> of September, 1671, M<sup>r</sup> John Winthorpe, Gou<sup>r</sup> of Co<sup>n</sup>ecticut, Major Generall Leuerett, M<sup>r</sup> Thomas Danforth, Captaine Wiltam Davis, with diuers others, came to Plymouth, and had a faire and deliberate hearing of the controuersy between our collonie and the said sachem, Phillip, hee

1671. being personally present, there being also competent interpreters, both English and Indians, at which meeting it was proved by sufficient testimony to the conviction of the said Phillip, and satisfaction of all that audience, both the said gentlemen and others, that hee had broken his covenant made with our collonie at Taunton, in Aprill last, in diuers particulars, as alsoe carryed very unkindly vnto vs diuers wayes.

13 September.  
[PRESENCE,  
GOVERNOR.]

1. In that hee detained and neglected to bringe in the resedue of his English armes, not deliuered att Taunton, according to his engagement, and that notwithstanding hee was allowed competent time, yea, his time enlarged, yett hee neglected as aforesaid, and instead of bringing them in, improved the opportunity of time rather to make them out of the way.

2. That hee had carryed insolently and proudly towards vs on seuerall occasions, in refusing to come down to our Court, when sent for to haue speech with him, to procure a right vnderstanding of matters in difference betwixt vs.

3. That hee entertained, harboured, and abetted diuers Indians, not of his owne men, which were vagabonds, our professed enimies, who, leauing their owne sachem, repaired to him and were harboured.

4. That notwithstanding the great wronge hee had done vnto vs in these and such like respects, instead of repairing to the Court, and to endeauer a reconcillation, hee takes his journey into the Massachusetts Bay, with seuerall of his councill, indeauoring to insinuate himselfe into the majestates, and to misrepresent matters vnto them, whoe are our good frinds and neighbors, and what in him lay, thereby to worke mischeife and difference between them and vs.

5. That hee had shewed great inciullitie to diuers of ours att seuerall times, in speciall vnto M<sup>r</sup> James Browne, whoe was sent by the Court on speciall occasion as a messenger vnto him, and vnto Hugh Cole att another time, &c.

The gentlemen forenamed, takeing notice of the promises, haueing fully heard what the said Phillip could say for himselfe, haueing free libertie soe to doe without interruption, adjudged that hee had don vs a great deal of wronge and injury respecting the promises, and alsoe abused them by carrying lyes and false storyes to them, and soe misrepresenting matters vnto them, and they persuaded him to make an acknowledgment of his fault, and to seek for reconcillation, expressing themselues that there is a great difference between what hee asserted to the gouernment in the Bay and what hee could now make out concerning his pretended wronges; and such had bine the wronge and damage that hee had done and procured vnto the collonie as ought not to be bourne without competent repairation and satisfaction; yea, that hee by his insolencies had in probabilitie occasioned more mischeife from the Indians amongst them then had fallen out in many yeares before; they persuaded him therefore to humble himselfe vnto the majestates, and to amend his wayes, if hee

expected peace, and that if hee went on in his refractory way, hee must expect to smart for it, the particulars wherof are more att large to be seen in a full discourse between our majestates and the gentlemen aforesaid and him, which is extant. In fine, severall propositions were drawne vp and read, vnto which hee was left to accept of or reject, as hee should see cause, in reference vnto his entering into a new couenant with vs; and alsoe in reference to a way of reparation of some parte of the wronge don vnto vs, the contents wherof are as followeth, by him accepted of and signed vnto.

1671.

13 September.  
[PRENCE,  
GOVERNOR.]

\*New Plymouth, this 29<sup>th</sup> of September, 1671.

29 September.

[\*57.]

1. Wee, Phillip, my councell, and my subjects, doe acknowledge our selues subjects to his ma<sup>tie</sup> the Kinge of England, &c, and the gou<sup>rn</sup>ment of New Plymouth, and to their lawes.

2. I am willing and doe promise to pay vnto the gou<sup>rn</sup>ment of New Plymouth one hundred pounds in such things as I haue, but I would intreat the fauor that I might haue three yeares to pay it in, forasmuch as I can not doe it att p<sup>se</sup>nt.


3. I doe promise to send in to the Gou<sup>r</sup>, or to whom hee shall appoint, five woulues heads, if I can gett them, or as many as I can procure, vntill they come to the number of five woulues, yearly.


4. If any difference falls between the English and my selfe or people, then I doe promise to repaire to the Gou<sup>r</sup> of Plymouth, to rectify the difference amongst vs.


5. I doe promise not to make warr with any but with the Gou<sup>rn</sup>ors approbation of New Plymouth.

6. I promise not to dispose of any of the lands that I haue att present, but by the approbation of the gou<sup>rn</sup>ment of New Plymouth.

For the true p<sup>rf</sup>ormance of the p<sup>mi</sup>ses, I, the said Phillip, sachem of Paukanaukett, doe heerby bind my selfe and such of my councell as are p<sup>se</sup>nt, our selues, our heires and successors, faithfully and truely to p<sup>rf</sup>orme. In witnes heerof wee haue heervnto subscribed our hands the day and yeare aboue written.

The marke  of PHILLIP, Sachem.

The mark  of WOHKOWPAHENITT.

The marke of  WUTAKOOSSEIM.

The marke of  SONKANUHOO.

The marke of  WOONASHUM,

allies NIMROD.

The marke of  WOOSPASUCK,

allies CAPTAINE.


1671.

29 September.  
[PRENCE,  
GOVERNOR.]

In the presence of the Court and diuers of the maiestrates and other gentlemen of the jurisdiction of the Massachusetts and Coñecticott, —

Takanumma, a sachem att Saconett, appeered in Court this third of Nouember, (71,) with Phillip, cheife sachem, and did engage for the future that hee, vnder the said Phillip, would stand to and abide by the same engagement of subjection to the Kinges ma<sup>tie</sup> of England, this gouernment and the lawes therof, with other articles in the engagement, wherto the said Phillip hath subscribed as abouesaid, and that the said Takamunna shall and will bring in or cause to be brought in yearly one wolfs head vnto the Treasurer; Phillip, alsoe, the said cheife sachem, did engage for the said Takamunnas pformance of the said engagement in all points therof.

In witnes wherof, I, the said Takamunna, haue sett my hand.

The marke of  TAKAMUNNA.

29 October.  
[\*58.]

*\*.Att the Court holden att Plymouth the 29<sup>th</sup> Day of October, 1671.*

BEFORE Thomas Prence, Esq <sup>r</sup> , Goũ,	Thomas Hinckley,
John Alden,	John Freeman,
Josias Winslow,	Nathaniel Bacon, and
Wilham Bradford,	Constant Southworth,
Assistants, &c.	

**T**HIS Court doe appoint and giue libertie of administration vnto M<sup>r</sup> Thomas Prence, M<sup>r</sup> Constant Southworth, M<sup>r</sup> Thomas Clarke, and Benjamine Bartlett, to adminnester on the estate of M<sup>r</sup> Wilham Collyare, deceased; and it is further ordered by the Court, that Daniell Cole shall haue and enjoy all such p<sup>t</sup>iculars out of the estate of the said Wilham Collyare, that are extant, which are specified in the first paper giuen by him, the said Wilham Collyare.

In reference vnto a former controuersy between John Hathwey, of Taunton, and an Indian called Phillip, the Court haue ordered, that the said Phillip shall pay or cause to be payed vnto the said Hathwey, or his order, eight bushells and an halfe of Indian corne, within one month after the date heerof, in reference vnto and for full satisfaction for damage done by the said Indian Phillip vnto the swine of the said Hathwey.

This Court sees cause and doe heerby call in the lycence graunted to

1671.

29 October.  
 PRESENCE,  
 Gov<sup>r</sup>.

Gyles Rickard, Senr, in reference to the selling lyquor and wine; and for his selling of syder to the Indians, hee is fined the sume of ten shillings to the vse of the collonie.

James Cole, Senr, being p̄sented before the Court on suspision of being drunke, forasmuch as it is not soe cleared to the Court as to proceed to execute the law against him, hee pleading infeirmitie of body, which may make some think that sōmtimes hee is drunke when hee is not, the Court haue att p̄sent pased it by, soe that it be remembered that if hee bee found for the future apparently to transgresse againe in the like kind, that be alsoe remembered to be aded in the cenceance that then may be passed against him.

Letters of administration are graunted vnto Mistris Jone Barnes and Jonathan Barnes to adminnester on the estate of M<sup>r</sup> John Barnes, deceased, they giueing bonds vnto the Court to saue them harmles from any damage that may acrew vnto them by their said administration.

In reference vnto two p̄sentments against Robert Crosman, the one for cursing the elect men of Taunton, and for expressing himselfe in his passion as if he would make himselfe away, hee was cenceanced by the Court to be sett in the stockes on a publicke training day att Taunton.

John Otis, for selling syder without order from the Court, was fined the sume of forty shillings to the collonies vse, or to appeer to answare for the same.

This Court doth authorise, cōmissionate and impower M<sup>r</sup> Constant Southworth in the behalfe and to the vse of a collonie, to make sale of such lands as are bordering on the line betwixt the Massachusetts and vs, whervnto our collonie haue a right, by vertue of an Indian purchase, vnto such gentlemen of the said Massachusetts collonie as haue motioned the same, or vnto any others, as ōpportunitie may p̄sent.

This order is more fully entered in the second page forward in this booke.

Letters of administration was graunted vnto John Williams, to adminnester on the estate of Edward Wilkams, deceased.

\*Att this Court, John Bucke and Mary Atkinson, being bound ouer thervnto to answare for cōmitting the acte of adultery with each other, appeared; and the said Bucke, being examined, denyed the same, and did put his case vpon tryall of his peers. The grand jury brought in the bill of inditement bella vera in probabilitie. The petty jury brought him in guilty of the acte of adultery. The Court, taking notice cercomspectly of what testimony might or was produced for the clearing of the case, together with the oath of the said Mary Atkinson, which shee tooke before the Court, wherein shee accused the said John Bucke to be the man that had cōmitted vncleanes with her, and by whom shee hath the child that is now liuing with her, saw cause

[\*59.]

1671.

29 October.  
PRENCE,  
Gov<sup>r</sup>.

to accept of the said verdict, soe farr as that wheras it is vncertaine whether the husband of the said Mary Atkinson is or was surviuing att the time when the said acte was comitted, that they will suspend the execution of the law against them for adultery vntill that can be knowne; and in the interem, forasmuch as the p̄sent state of the fact, soe farr as it yett appeers, renders them guilty of the acte of fornication, they were forthwith both of them centanced to be publickly whipt att the post, or to pay each of them a fine of ten pounds in currant siluer mony of New England; it being arbitrary to thaire choise, they chose the latter, and soe giueing bonds for thaire appeerance att the Court, incase that it doe appeer that Marmeduke Attkinson, the husband of the said Mary Atkinson, was aliue when the said acte was comitted, and that the said John Bucke had giuen securitie to the Court for a certaine assumsett, to be payed towards the keeping of the child, they were both for the p̄sent dismissed.

Leiftenant Isacke Bucke standeth bound vnto the Court in the sume of ten pounds sterling, or condition that his son, John Bucke, doe p̄sonally appeer before this Court, when by them required, further to suffer the centance of the law for comitting the acte of adultery with Mary Attkinson, the wife of Marmeduke Attkinson.

Edward Jenkins standeth bound vnto the Court, in the sume of ten pounds sterling, on condition that his daughter, Mary Attkinson, the wife of Marmeduke Attkinson, doe p̄sonally appeer before this Court, when by them required, to suffer the centance of the law for comitting the acte of adultery with John Bucke.

Leiftenant Isacke Bucke standeth bound vnto the Court, in the behalfe of his son, John Bucke, that hee shall pay or cause to be payed the sum of three pounds a yeare, for the tearme of eight yeares from the date heerof, vnto the said Mary Attkinson, or her order, in good and currant marchantable corn, att prise currant, when and as it shall become payable, to be for and towards the bringing vp of the child begotten in the said acte of vncleanes.

The Names of the Jury that tryed the abouenamed.

John Morton,	} swornc.	John Rogers, Juni <sup>r</sup> ,	} swornc.
Wiltam Hoskens,		Samuell Dunham,	
Andrew Ringe,		Wiltam Foard, Juni <sup>r</sup> ,	
James Clarke,		Samuell Hunt,	
John Wadsworth,		Jabeze Howland,	
John Howland, Juni <sup>r</sup> ,		Jonathan Pratt.	



\*This Court receiueing letters from Cap<sup>t</sup> Wilham Hudson, in behalfe of himselfe and seuerall other gentlemen of Boston, to whom the honored General Court haue bin pleased to graunt seuerall p<sup>r</sup>sells of land within p<sup>r</sup>te of those lands formerly purchased of Allexander and Phillip, cheife sachems of Pokanaukett, by Captaine Thomas Willett, for the vse of this collonie, p<sup>r</sup>te wherof now falleth vpon the northsyde of the line, settled between the collonies of the Massachusetts and Plymouth, and the aboucmensioned gentlemen manifesting their reddines to compound with vs for our right lying on the northsyde of the line, in the jurisdiction of the Massachusetts, this Court being willing to comply with their desires therein, haue impowered and authorised M<sup>r</sup> Constant Southworth, in the name and for their vse, to make sale of our right and interest in what yett remaineth vndesposed of, viz<sup>d</sup>, soe much of it as lyeth on the northerly syde of the line settled between the two collonies, to the abouesaid gentlemen or others; alwaies provided that this Courts former graunt to M<sup>r</sup> Richard Callicott be freely and really made good vnto him, both in vpland and meddow, with as much conveniency as may be.

1671.

29 October.  
PRESENCE,  
Gov<sup>r</sup>.

[\*60.]

On the 17<sup>th</sup> of January, 1671.

Mary Churchill, being examined before the Gov<sup>r</sup> and M<sup>r</sup> Constant Southworth, confessed that shee is begotten with child by Thomas Dotey, and that shee had carnall coppulation with him three seuerall times, the first of them being about the fifteenth of July last past before the date heerof; the second time on the eight of August last past before the date heerof; and the third time about a senight after, which was about the time the said Dotey departed the go<sup>v</sup>ment.

1671-2.

17 January.

In reference vnto the second time the facte abouenamed was comitted, Serjeant Ephraim Tinkham, being examined, testifyeth as followeth, viz<sup>d</sup>: that hee, the said Sarjeant Tinkham, haueing occasion to speak with the said Thomas Dotey, went to the house of Joseph Churchill, expecting to meet with him there, and coming to the house, knocked att the dore; but noe body answered, and soe hee went in and stayed a while in the outward roomes; and by some noise that hee heard in the house, conceined there was so<sup>m</sup>ebody within, although they answered not; but att length Mary Churchill came forth, and hee asked her if Thomas Dotey was in the house or noe; but shee did not reddily answere him, but after some pause shee answered that hee was in the house; soe hee desired to speake with him; and soon after, Thomas Dotey came forth, and soe the said Sarjeant Tinkham and hee went away together, and hee admonished the said Dotey to take heed least euill might come of such carriages, or to that purpose; and the said Mary Churchill, being examined,

1671-2.

17 January.  
PRENCE,  
Gou<sup>r</sup>.

affirmed that the same time that the said Sarjeant Tinkham tooke them soe together as aforesaid, was one of the three times hee had carnall coppulation with her as abouesaid; and shee, being further examined, denyed that shee euer had to doe with any other man.

John Drew and Joseph Churchill doe both of them acknowldige themselves to stand bound heerby vnto the Court in the sume of ten pounds, joyntly and seuerall, by them well and truly to be payed.

The condition that if Mary Churchill aforesaid doe psonally appeer att the Court of his ma<sup>ty</sup>, to be holden att Plymouth abouesaid the first Tusday in June next, further to answare for her haueing carnall coppulation with Thomas Dotey, and that shee abide the judgment of the said Court, and not depart the Court without lycence, that then the abouewritten obligation to be void and of non effect; or otherwise to remaine in full force, strength, and vertue.

5 March.  
[\*61.]

*\*Att the Court of his Ma<sup>ty</sup> held att Plymouth, for the Jurisdiction of New Plymouth, the fift Day of March, Anno Dom̃ 1671.*

BEFORE Thomas Prence, Esquire, Gou <sup>r</sup> ,	William Bradford,
John Aldin,	Thomas Hinckley, and
Josias Winslow,	Nathaniel Bacon,
Assistants, &c.	

**M**<sup>R</sup> STEUEN PAINE, Seni<sup>r</sup>, of Rehoboth, and M<sup>r</sup> Nicholas Tanner, were appointed by the Court to see M<sup>r</sup> Blackstones land layed forth according to the graunt.

In reference to a controuersy about the paying of rates, between the townes of Rehoboth and Swansey, the Court haue ordered, that what meddowes or meddowe lands belonging to Rehoboth, & lyeth within Swansey bounds, shalbe rated to euery rate of twenty pounds thripence an acre to Rehoboth, and soe the like proportion to any rate, be it greater or lesser; and likewise, that whatsoever meddowes lyeth in the township of Rehoboth, belonging to Swansey, shalbe rated to euery rate of twenty pounds thripence an acre to Swansey, and soe by like proportion to any rate, be it greater or lesser; and that this order shalbe a standing rule vnto those townes, vntill vpon the complaints of the inhabitants of the said townes the Court shall see cause otherwise to order; and wheras in reference vnto some arreēs behind of rates as yett vnpayed by M<sup>r</sup> Allin, hee refering himselfe to the determination of the

Court, it is by them ordered, that the said M<sup>r</sup> John Allin, of Swansey, shall pay or cause to be payed to Robert Fuller, of Rehoboth, the sume of thirty shillings, and the sume of thirty shillings to M<sup>r</sup> John Peeke.

1671-2.

5 March.  
[PRENCE,  
GOVERNOR.]

Att this Court, Nathaniel Thomas acknowledged before the Court that hee stands bound vnto the Court in the penall sume of six pounds, both for himselfe and his heires, as surty for Humphery Johnson, in reference to the suite comēced by the said Johnson against John Turner, Jun<sup>r</sup>, of Scittuate, to procecute the said action, and to be responsible to make good all such damage as the said Turner may suffer by the said action, incase it shall appeer hee is vnjustly molested therby.

The Court haue ordered that Robert Stanfords rate shalbe accepted in such specue as hee hath to pay, provided it be paied att such rates as will procure soe much as hee is rated according to specue specified in the warrant sent to Scittuate last yeare for the rate.

In reference vnto the complaint of Samuells Smith, late constable of Easthame, against Joseph Harding, for abusing him in the execution of his office, the Court haue ordered, that an order be sent to M<sup>r</sup> Freeman, to cause the gun attached by the said Smith appertaining to the said Harding, to be returned to him againe, (if it may be had,) and that what is vnpayed of the award amerced on him to be payed, and for his abusiuē carryages towards the said constable, hee is centanced to pay a fine of ten shillings to the vse of the collonie.

In reference vnto a complaint of Samuells Harry, the Indian, against Francis Combe, about a hogg taken vp and killed by the said Combe, which hogg is found on examination to be the said Indians, the Court haue ordered that the said Combe shall pay or cause to be payed to the said Indian twenty two shillings, in porke or other currant pay to his content, within one month after the date heerof.

The Court haue ordered, that notice be giuen to M<sup>r</sup> Robert Marshall, that forasmuch as Mistris Jone Barnes complaineth that she can not provide for his children, now in her costody, that hee, within one month or six weekes after the date heerof, take care to provide for his said children, viz<sup>t</sup>, John Marshall and Robert Marshall, or otherwise the Court will take course for the disposall of them.

In reference vnto the estate of Ralph Chapman, deceased, althō the Court is not satisfied in some respects concerning his will, notwithstanding they haue ordered and doe request Edward Wanton, of Scittuate, to looke vnto and take care of the said estate for the p̄seruation and improuement therof and of his land, and to keep an account of his doinges about it vntill the Court shall see cause otherwise to order.

1671-2.

5 March.  
PRINCE,  
Gov<sup>r</sup>.

[\*62.]

\*Vpon the psuance of a request made vnto this Court by M<sup>r</sup> John Jacob, of Hingham, in behalfe of himselfe and seuerall others, for a deuision of lands by them and others bought of M<sup>r</sup> Timothy Hatherley, being three miles square, about Accord Pond, this Court haue ordered and impowered Major Josias Winslow and M<sup>r</sup> Constant Southworth to impannell a jury for the deuision of the said lands according to the seuerall proportions of the psons therein interested, and to pforme any acte or actes that according to law might concerne the sheriffe in like case, for the full and compleat issue of the said deuision; which said three miles square is to be layed out as followeth, viz<sup>t</sup>: the easterly end to begine att Accorde Pond next to Scittuate townshipe, and soe to run three miles southward; the north line to begin on the southsyde of the said Accord Pond, and soe to run three miles next vnto a gussett of land graunted by the Court vnto Ensigne March Eames, (below this next entered,) vntill it comes to the pattent line; the westward bounds to begine att the pattent line, and soe to run three miles southerly, and soe to run from thence on a straight line to the end of the southermost pte of the east line aforsaid. Cornett Studson, alsoe, in the Court, consented therunto.

It was further ordered by the Court, that the whole charge of the said deuision be layed on the lands, each of the owners to pay proportionable to his interest.

In reference vnto a former graunt of land made by the Court vnto Ensigne Marke Eames, a certaine p<sup>r</sup>sell of land, being in the forme of a gussett, lying next vnto Accord Pond, between the land there graunted to M<sup>r</sup> Hatherley and the line between the pattents, is graunted and now confeirmed vnto Ensigne Marke Eames aforsaid, be it an hundred acres, more or lesse.

In reference vnto a former graunt of accomodations of land vnto M<sup>r</sup> Thomas Cushman, Seni<sup>r</sup>, the Court doth graunt and confeirme vnto him the one halfe of the last purchase of land made by the Treasurer of Phillip, sachem of Paukanawkett, viz<sup>t</sup>, the one halfe of that tract of land purchased by M<sup>r</sup> Constant Southworth, Treasurer, lying and being att Assowamsett Ponds, on the westerly side of the said ponds, the other halfe belonging vnto Thomas Little; likewise, the Court haue graunted vnto the said Thomas Cushman, that incase any meddow can be found to be neare or convenient vnto the aforsaid land, that hee shall haue a convenient proportion therof.

Likewise, M<sup>r</sup> Constant Southworth is appointed by the Court to sett the bounds of the said tract of land; and Wilłam Crow and Edward Gray are appointed by the Court to make a deuision therof between the said Thomas Cushman and Thomas Little.

Samuell Arnold, Juni<sup>r</sup>, and his now wife were fined the sume of ten pounds for comitting fornication with each other before marriage.

Josias Palmer, of Scituate, for saying that Mr Witherells church was a church of the diuill, was fined ten shillings. 1671-2.

5 March.  
PRINCE,  
Gov<sup>r</sup>.

John Loe, of the towne of Marshfield, for prophaning the Lords day by seruill labour and contemptable words, being minded of that abuse, fined forty shillings or to be whipt.

Thomas Baxter, having bin accused of misdemeanor att the meeting house att Yarmouth, after examination was cleared.

\*Att this Court John Williams, of Barnstable, appeared, being bound ouer to answare the accusation layed against him by Susannah Turner, of Sandwich, of begetting her with child, which hee stiffly and peremtorily denied; and the fact not being fully proued against him, the Court saw cause att the p̄sent to take bonds of him for to allow a sume towards the keeping of the child; and soe hee was released for p̄sent, being to appeer att the Court of his ma<sup>tie</sup> to be holden att Plymouth aforsaid the first Tusday in July next, according to the bonds following:—

[\*63.]

John Williams, of Barnstable, standeth bound vnto the	} <sup>n</sup> 10 : 00 : 00
Court in the penall sume of . . . . .	
John Howland the sume of . . . . .	10 : 00 : 00

The condition, that wheras the said John Williams is accused to be the father of the child which was lately borne of Sussanna Turner, of Sandwich, if, therefore, the said John Williams doe alow and duely pay two shillings by the weeke towards the keeping of the said child vntill the Court of his ma<sup>tie</sup> to be holden att Plymouth aforsaid the first Tusday in July next, and that the said John Williams doe appeer att the said Court, and not depart the same without lycence; that then, &c.

Att this Court, Hester, the wife of John Rickard, Seni<sup>r</sup>, of Plymouth, appeared, being sumōned to answare for her vnciuell and beastly carriages and speeches to her said husband; and the p̄mises was fully proued against her by sufficient testimony, and shee was centanced by the Court to be publicly whipt att the post; but att the earnest intreaty of her selfe and others, and her promise of amendement, the said centance was suspended from p̄sent execution, with this proviso, that if att any time for the future shee be taken in the like fault, either towards her husband or in any vnciuill carriages to others, shee is forthwith to be publicly whipt as aforsaid.

Shee was alsoe att this Court prohibited to brew beer to sell, as formerly shee had done, because it appeared to the Court that it was a snare to her to occasion euill in the aforsaid respects.

In reference to a fram of an house, framed by Josias Wormal, according to agreement with Thomas Dotey, the said Dotey being departed the goūment,

1671-2.

5 March.  
PRENCE,  
Gov<sup>r</sup>.

and the said Wormall not payed for his labour about the said fram, hee making his adresse to the Court, the Court ordered, that a proffer should be made to Joseph Dotey, the agent of the said Thomas Dotey, that if hee would take the said fram, and fulfill the couenants that his brother, Thomas Dotey, made with the said Wormall about the said fram, hee might if hee pleased; if otherwise, that the said Josias Wormall might make sale therof to satisfy himselfe; which, vpon the refusall of the said Joseph Dotey, hee, the said Wormall, sold, and therby is satisfied.

Richard Godfrey, of Taunton, being presented for speaking opprobriously of some in place in the towne of Taunton, was centanced by the Court to sit in the stockes att Taunton on a training day, soe as it exceed not two houres.

James Walker and John Richmond are authorised by the Court to purchase the land of the Indians in the behalfe of the towne of Taunton, lying on the west syde of Taunton Riuer, from the Three Mile Riuer downe to a place called the Store House.

Wee, whose names are vnderwritten, being summoned together by order from the Gov<sup>r</sup> to view the corpes of M<sup>r</sup> John Barnes, and to giue in a verdict how wee judge hee came by his death, doe judge, that being before his barne dore in the street, standing stroakeing or feeling of his bull, the said bull suddenly turned about vpon him and gaue him a great wound with his horne on his right thigh, neare eight inches longe, in which his flesh was torne both broad and deep, as wee judge; of which wound, together with his wrinch of his necke or paine therof, (of which hee complained,) hee immediately languished; after about 32 houres after hee died. Vnto the truth wherof wee haue subscribed our hands.

JAMES SKIFFE,  
RENJAMINE HAMOND,  
JOHN WOOD, Seni<sup>r</sup>,  
SAMUELL DUNHAM,  
JAMES COLE, Juni<sup>r</sup>,  
NATHANIEL WOOD,  
Leif<sup>t</sup> MORTON,  
Serg<sup>t</sup> HARLOW,  
ALLEXANDER KENEDY,  
JOHN WOOD, Juni<sup>r</sup>,  
GYLES RICKARD, Seni<sup>r</sup>,  
JABEZ HOWLAND.

\*Whereas att this Court Major Josias Winslow comēnced suite against Willam, son to Tuspaquine, the sachem of Namassakett, in an action of the case to the damage of twenty pounds for non payment of ten pounds and eight shillings due for a horse and other goods sold to him the last summer, as appeered by a bill vnder his hand; and that the said Major Winslow obtained a verdict against him, the said Willam, viz<sup>y</sup>, the bill to be payed to the plaintife, twelue pence damage, and the cost of the suite; hee, the said Willam, haueing nothing to pay the award of the jury, tendered a p̄sell of land to be sold to make it good; the Court therefore deputed and appointed M<sup>r</sup> Edward Gray to make purchase therof, that soe the said plaintiffe might be satisfied his due according to the verdict of the jury.

July, 1672. This following was ordered to be recorded, viz<sup>y</sup>: a graunt of the scanem men appointed to order the affaires of the towne of Plymouth, and to graunt lands within that township.

The 22<sup>co</sup>nd of February, 1650. Wee graunt to Thomas Clarke the skirts of meddow lying vpon the pond att Mannomett, from the Creeke round about.

John Turner, Jun<sup>r</sup>, of Scittuate, complaining of inabilitie of body to beare armes and traine as formerly, hee is freed and discharged by the counsell of warr from training for the future in the milletary companie of Scittuate.

Letters of adminnestration was graunted vnto Ensigne John Williams to adminnester on the estate of Edward Williams, of Scittuate, deceased.

1671-2.

5 March.  
PRENCE,  
Goc<sup>r</sup>.  
[\*64.]

July.

*Att the Court of his Ma<sup>tie</sup> holden att the Towne of Plymouth, for the Jurisdiction of New Plymouth, the fift Day of June, Anno Dom̄i 1672.*

1672.

5 June.  
[\*65.]

BEFORE Thomas Prence, Esquire, Goc<sup>r</sup>,  
John Aldin,  
Josias Winslow,  
Willam Bradford,

Thomas Hinckley,  
John Freeman,  
Nathaniel Bacon, and  
Constant Southworth,

Assistants, &c.

1672.

5 June.  
PRENCE,  
Gov<sup>r</sup>.

THOMAS PRENCE, ESQ<sup>r</sup>, was chosen Gov<sup>r</sup>, and sworne.

John Aldin,	}	Gentlemen, were chosen Assistants, and sworne.
Josias Winslow,		
Wiltam Bradford,		
Thomas Hinckley,		
John Freeman,		
Nathaniel Bacon, and Constant Southworth,		

The seuerall townes of this goũment, not knowing that the coĩssioners for the Vnited Collonies were to sitt att Plymouth this yeare, did omitt the sending of there voates for our honored Gov<sup>r</sup> to be coĩssioner in the first place, soe that it fell out that M<sup>r</sup> Hinckley had more written voates then hee ; but the ouersight being espyed att the instant of election, and the freemen for the most pte then p̄sent did vote viva vose for the Gov<sup>r</sup> to be the first in our choise.

Soe that the coĩssioners chosen were, —

M<sup>r</sup> Thomas Prence,

Major Josias Winslow ;

And M<sup>r</sup> Hinckly next in nomination.

M<sup>r</sup> Constant Southworth was chosen Treasurer, and sworne.

The Names of the Deputies of the seuerall Townes.

Robert Finney,	Ensigne Eames,
Leiff Morton,	Nathaniel Thomas,
M <sup>r</sup> Josias Standsh,	Leiff Hunt,
Wiltam Paybody,	Daniell Smith,
Thomas Tupper,	Daniell Cole,
Wiltam Harvey,	Thomas Paine,
Leiffenant Macey,	John Willis,
Ensigne Howes,	John Russell,
Edward Sturgis, Seni <sup>r</sup> ,	M <sup>r</sup> James Browne,
Thomas Huckens,	John Morton.
John Tompson,	

The Constables of the seuerall Townes.

Plymouth, . . . . .	Gorge Watson.
Duxburrow, . . . . .	John Wadsworth.



Scituate, . . . . .	^
Sandwich, . . . . .	^
Taunton, . . . . .	{ Richard Steuens, Hezekiah Hoar.
Yarmouth, . . . . .	Hosea Joyce.
Barnstable, . . . . .	John Huckens.
Marshfield, . . . . .	{ John Sawyer, Josias Snow.
Rehoboth, . . . . .	{ Wiltam Sabin, Seni <sup>r</sup> , John Miller, Seni <sup>r</sup> .
Eastham, . . . . .	Jonathan Banges.
Bridgewater, . . . . .	Robert Latham.
Dartmouth, . . . . .	Gorge Soule.
Swansey, . . . . .	Thomas Barnes.
Middlebery, . . . . .	John Irish.

1672.  
5 June.  
PRENCE,  
GOU<sup>r</sup>.

\*The Grand Enquest.

[\*66.]

Anthony Snow,	John Miller, of Yarmouth,
Wiltam Hoskins,	Anthony Perrey,
M <sup>r</sup> Edmond Freemaun,	John Perrum,
M <sup>r</sup> Samuëll Sabery,	Gorge Crispe,
Ensigne Jonathan Aldin,	John Blackwell,
Walter Briggs,	Thomas Deane,
John Daman,	Thomas Lumbert,
John Carey,	John Finney,
John Dingley,	Thomas Pope,
Joseph Howes,	Thomas Lewis,
John Richmond,	John Miller, of Middleberry.
Samuëll Dunham,	

The Names of the Celcet Men in each Towne.

Plymouth, . . . . .	{ Leift Morton, Serjeant Harlow, Wiltam Crow.
Duxberry, . . . . .	{ Wiltam Paybody, M <sup>r</sup> Samuëll Saberry, M <sup>r</sup> Josias Standish.

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Scituate, . . . . .	{ Mr Micaell Peirse, Jeremiah Hatch, John Cushen.
Sandwich, . . . . .	{ James Skiffe, Thomas Burgis, Steuen Skiffe.
Taunton, . . . . .	{ Leif <sup>t</sup> Macye, Richard Williams, Walter Deane, John Tisdall, Seni <sup>r</sup> , William Harvey.
Yarmouth, . . . . .	{ Mr Hawes, Edward St <sup>r</sup> gis, John Thacher, Ensigne Howes, John Miller.
Barnstable, . . . . .	{ Leif <sup>t</sup> Laythorpe, John Tompson, Thomas Huckens.
Rehoboth, . . . . .	{ Mr Steuen Paine, Seni <sup>r</sup> , Ensigne Smith, Leif <sup>t</sup> enant Hunt.
Marshfield, . . . . .	{ Leif <sup>t</sup> White, Ensigne Eames, John Bourne.
Eastham, . . . . .	{ Nicholas Snow, Daniell Cole, Thomas Paine, Marke Snow, Jonathan Sparrow.
Bridgewater, . . . . .	{ Leif <sup>t</sup> enant Haward, John Willis, Seni <sup>r</sup> , John Carrey.
Dartmouth, . . . . .	{ John Cooke, Arther Hathewey, John Russell.
Swansey, . . . . .	{ Hugh Cole, Thomas Lewis, Mr James Browne.

Surveyors of the Highwayes.

1672.

5 June.  
PRENCE,  
GOV<sup>r</sup>.

Plymouth, . . . . .	{	John Holmes, Joseph Bartlett, Benajah Pratt.
Duxbury, . . . . .	{	Robert Barker, John Soule, Joseph Howland.
Scituate, . . . . .	{	Cornett Studson, Edward Jenkins, Charles Stockbridge.
Taunton, . . . . .	{	James Walker, Ensigne Leanard.
Yarmouth, . . . . .	{	Edward Sturgis, Seni <sup>r</sup> , Joseph Howes.
Barnst <sup>r</sup> , . . . . .	{	John Davis, Thomas Hinckley.
Rehoboth, . . . . .	{	Gilbert Brookes, John Doged.
Marshfield, . . . . .	{	Joseph Bedle, Samuell Sprague.
Eastham, . . . . .	{	John Done, Daniell Done.
Bridgwater, . . . . .	{	Samuell Edson, Samuell Packer.
Dartmouth, . . . . .	{	John Smith, Peleg Tripp, Wilfam Palmer.
Swansey, . . . . .	{	Nathaniel Chaffey, Jonathan Bosworth, Hezekiah Luther.
Middlebery, . . . . .	{	Isacke Howland.

\* In answare to the petition of Joh<sup>n</sup> Cooke, the Court haue ordered, that some speeddy notice be giuen to all the purchassers that haue an interest in the said controversye, that they giue notice each to other to meet together att Plymouth att the next Court in July next, in order to the settlement therof, either psonally or by a com<sup>it</sup>tey; and if they can not agree soe as to putt a finall issue thervnto, that then the Court will see cause to interpose with their healpe soe as finally to determine the said controversye.

[\*67.]

1672.

5 June.  
PRESENCE,  
Gov<sup>r</sup>.

In answere to a petition prefered to the Court by some of the inhabitants of Sandwich, complaining that they are much straightened in want of comons, and therefore to haue libertie to purchase some lands about them adjoining to them for their supply, the Court haue ordered, that such lands shalbe purchased by such as shalbe appointed therunto, and to be disposed of by the Court to such as are likely to be healpfull in the support and maintainance of minnistry.

Att this Court, Mary Churchill was centanced by the Court to pay a fine of six pounds for comitting fornication, as shee saith, with Thomas Doten.

Att this Court, Dorcas Billington was centanced to pay a fine of five pound by the next July Court to be holden att Plymouth, for comitting fornication with  $\wedge$ , or to appeer att the said Court, and to receiue corporall punishment by whipping.

Att this Court Susanna Turner appeered, and was centanced to pay a fine of eight pounds, for comitting fornication, as shee saith, with John Williams, of Barnstable.

Daniell Cole, the son of Job Cole, for cursing, fined ten shillings.

Leiff Peregrine White and Wilham Nelson, Senir, were appointed by the Court to lay out or deuide certaine meddowes belonging to Pachague Necke, and the inlargement of vpland on Bridgwater syde of the riuer; and the ptenors of Pachauge Necke aforsaid engaged to defray the charge therof.

Thomas and John Buck, Junir, being att the house of Isacke Chettenden the third of June, 1672, the said John Bucke did acknowledge that the word spoken by him about and concerning his testimony att October Court last past, which was comitted to record, was falce, viz<sup>d</sup>, that the said Nicolls had taken a falce oath, it being rashly and unadvisedly spoken; and that hee, the said John Bucke, had noe just ground soe to speake, and that hee was sorry that hee had soe spoken; with which acknowledgment the said Nicolls acknowledged himselfe to be satisfied.

Whereas wee, whose names  $\wedge$  vnderwritten, were sworne to take a view of a dead corpes, the which corpes was the daughter of Richard Lake, of Yarmouth; the which corpes wee haue viewed, and alsoe haue bine as carefull as we can to inquire into the cause or causes of the death of the said Lakes child; and wee doe all judge, according to what light wee can gather, that

the child came to its end by falling into a brooke of water, and soe was drowned.

Dated Yarmouth, 28<sup>th</sup> of the 2<sup>cond</sup> month, 1672.

JOHN HALL, Jun<sup>r</sup>,  
ANDREW HALLOTT,  
THOMAS HOWES,  
JOHN THACHER,  
JEREMIAH HOWES,  
NATH: HALL,  
SAMUELL HALL,  
JOSEPH RYDER,  
JOHN MILLER,  
JUDAH THACHER,  
SAMUELL MATHEWS,  
GERSOM HALL.

1672.

5 June.  
PRENCE,  
Gov<sup>r</sup>.

A generall and publicke day of humilliation was observed, by the appointment of the Court, throughout this jurisdiction, held in concurrence with our neighbour collonie of the Massachusetts on the thirteenth day of this instant June, with speciall respect vnto the sad, and in many respects deplored, estate of our natiue country, takeing in their withall seuerall things concerning our selues heer in N. E.

This Court is ajorned vntill the first Thirsday in July next, att which time the comittees are to meet againe; it wilbe the fourth of the month.

*\*Att the Court of his Ma<sup>tie</sup> holden att Plymouth for the Jurisdiction of New Plymouth, the first of July, 1672.*

1 July.  
[\*68.]

BEFORE Thomas Prence, Esq<sup>r</sup>, Gov<sup>r</sup>,            Thomas Hinckley,  
John Aldin,                                        John Freeman,  
Josias Winslow,                                Nathaniel Bacon, and  
William Bradford,                             Constant Southworth,  
Assistants, &c.

**M**<sup>R</sup> CONSTANT SOUTHWORTH, M<sup>r</sup> James Browne, and M<sup>r</sup> John Gorum are appointed by the Court to purchase a certaine p<sup>s</sup>ell of land of the Indians graunted by the Court to the said John Gorum, lying att Paspasquash Necke.

1672.

1 July.  
PRESENCE,  
Gov<sup>r</sup>.

This Court doth appoint the Treasurer, Captaine Cudworth, and Cornett Studson to repaire to Barnstable, to heare a difference between Captaine Fuller and Samuell Fuller, Seni<sup>r</sup>, on the one p<sup>t</sup>y, and the towne of Sandwich on the other p<sup>t</sup>y, about bounds of lands; and in case they can issue it and settle it, that they see doe; but if not, that they make report vnto the Court how they find matters in that behalfe.

In reference vnto a controuersy betwixt Willam Hailstone and James Walker, which hath bine of longe standing, relateing to an award made by M<sup>r</sup> John Wiswall, M<sup>r</sup> Richard Callicott, and Cap<sup>t</sup> James Johnson, concerning and for the issuing of some difference betwixt the said p<sup>t</sup>ies, they, the said Willam Hailstone and James Walker, refering the case for a finall issue to the determination of the Court, haueing heard their please on both sydes, and p<sup>u</sup>sed all such writings that were produced relateing therunto, doe determine and conclude as followeth, viz<sup>d</sup>: that forasmuch as that it appeers, vpon examination, that the said James Walker hath not p<sup>o</sup>rformed the latter p<sup>t</sup>e of the said arb<sup>o</sup>tration, viz<sup>d</sup>, to repaire the said Hailstone his reputation in the church, and to make a returne therof vnto the said arb<sup>o</sup>trators, which hee neglected to doe, the Court doe therefore order, that hee shall pay or cause to be payed vnto the said Hailstone the sume of five pounds, in either good, marchantable porke, or good barr iron, betwixt this date and the fifteenth day of October next, att prise then currant; and whereas the said James Walker did openly and vnadvisedly, on a Lords day, accuse the said Willam Hailstone of telling seueral palpable lyes and founded vpon a lye, whereby the said Hailstone was much scandalised, this Court doth heerby aduise the said James Walker publickly to acknowledge the wronge hee hath done him in the meeting, on the Lords day, in the congregation; and this our award and joynt determination to be a full and finall issue of all such differences and controuersyes as relate vnto the p<sup>o</sup>misses.

This Court doe order M<sup>r</sup> John Freeman and Richard Bourne to purchase a peece of land or p<sup>o</sup>sell of land att Mannomett, called and knowne by the name of the Old Feild, for the said M<sup>r</sup> Bourne his more convenient improuement of his meddow there, provided that the Indians to whome it belongeth shall haue free libertie, notwithstanding this order, to improue it without interruption, both them and their heires foreuer.

Whereas Willam Paybody complained vnto the Court that Willam Numacke and Moses Numacke, of Pinquine Hole, allies Weesquebs, that they are indebted to him the sume of seauen pounds and four shillings, what they cannot satisfy otherwise then by making ouer some land for a time, this Court haue, with the consent of the said Willam and Moses Numacke, layed

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PRENCE,  
Gov<sup>r</sup>.

an extent vpon their lands, willed to them by their father, lying between the riuer of Pinguine Hole aforesaid and Nucksissett, with the longe necke which goeth into the sea called Wenamett, both ypland and meddow, with all and singulare the appurtenances and priuiledges belonging therunto, for the full tearme of ten yeares from the fifteenth day of October next, from thence fully to be compleated and ended, to be for the vse and improuement of the said Wiltam Paybody, to him and his heires and assignes for the full tearme aboue expressed; onely that the said Wiltam Paybody is to mow the meddow this yeare, and the said Wiltam Numacke and Moses Numacke they or either of them may, by the payment of the abouesaid summe within one yeare from the date heerof, redeeme their abouesaid land.

In reference vnto a whale brought on shore to Yarmouth from sea, the Court leaues it to the Treasurer to make abatement of what is due to the cuntry therof, by law, as hee shall see cause, when hee hath treated with those that brought it on shore.

\*This Court, att the former session, takinge notice of the longe continued difference between John Cooke, of Dartmouth, and many of the inhabitants and purchasers of that place, and judging it difficult for them to put themselves into a capassitie of ending it without the Courts interposing to their healp, did then direct an order to the said towne and purchasers, to appeer att the adjournment in July instant, in their persons or by their deligates, to attend a finall issue of the abouesaid controuersyes. They, soe appeering att the Court, agreed joyntly to refer the whole matter of difference between the said John Cooke and the towne of Dartmouth or purchasers, respecting all their publicke or common transactions, to the majestrates of this Court, whoc, after a full hearing of pleas on both sydes, mannged by John Smith, Samuel Hicckes, and Peleg Tripp, in the behalfe of the purchasers, and well considered therof, doe award and determine as followeth: —

[\*69.]

1. Viz<sup>s</sup>, that John Cooke shall haue and foreuer enjoy a little island called Ram Island, by the said towne disposed to him for former seruice; and secondly, that they the said towne and purchasers doe pay or cause to be payed vnto John Cooke his debt of eleuen pounds for latter agencye and disbursments for them, and three pounds for his damage and trouble, which fourteen pounds shalbe payed to him or his order in good and marchantable porke, beefe, and corne, in equall proportions, att or before the middle of October next, or otherwise to his content.

And wee determine the bounds of the plantation to be according to a deed giuen by Phillip, the sachem, bounded on the east by a blacke oake, marked on foure sydes, concerning which tree all parties did agree, and from

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Gov<sup>r</sup>.

the said tree by a south line, as run by Robert Hazard, downe to the salt water, and by the contrary line into the woods extending eight miles from the said tree, and att the westerly end as bounded by the aboucsaid deed.

And lastly, wee determine that, John Cooke being payed what wee haue aboue awarded, hee shall deliuer vp the deeds and acquittances concerning those lands vnto whom shalbe appointed to receiue and keep it for the towne and purchasers therein interested; and this wee order to be recorded as our award, and to stand as a full, absolute, and finall conclusion of the aboucsaid controuersyes between the said John Cooke and the towne and purchasers of Dartmouth aboue mensioned, and his and their heires for euer.

In reference vnto the towne of Dartmouth, it is ordered by the Court, that wheras an apparent neglect hath bine for the two yeares last past of the gathering in of the sume of fifteen pounds a yeare, according to the order of Court, to be kept in stocke, towards the support of such as may dispence the word of God vnto them, it being neglected the last yeare in pretence that those that were appointed by the Court to receiue it, and improue it for the ends aforsaid, refused soe to doe, it is now ordered by this Court, that the sume of fifteen pounds be this yeare leuied to be as a stocke for the vse aforsaid, to be payed and deliuered vnto the constable of Dartmouth, in good and currant countrey pay, to be by him retained and keep vntill hee shall receiue further order from the Court for the dispose of it.

Att this Court it was agreed by and between M<sup>r</sup> Constant Southworth and Phillip, the sachem, in reference to the land att *att* Assowamsett Pond, that wheras the land purchased of the said sachem there was formerly to goe three quarters of a mile broad, and to goe ouer Wachemoccusett Brooke, it is now bounded by the said brooke below, and soe to goe vp by a pond; and what is wanting below by reason the breadth is cutt short by the said brooke, it is to be made vp aboue.

[\*70.]


\*These p<sup>s</sup>ents testifies that wheras Thomas Butler, of Sandwich, haucing bought fifty acres of land of Jonathan Morey, of Plymouth, and these lands falling into the hands of the Indians, viz<sup>t</sup>, Quachattasett and Nanumett, the which Quachattasett with Nanumett haue freely and absolutely resigned vp vnto Thomas Butler the whole fifty acres, the which lyeth in two places, that is to say, thirty acres to be measured neare the Ceder Swamp, vpon the side of the path towards Sandwich, the which path goeth from Nanumetts land or planting feild vnto Breake Hart Hill, or the Salt Water Pond, and the other twenty acres is to be measured out of a necke of land that shootes into the Herring Riuer Pond, the which is the biggest necke of land; all which



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the whole fifty acres wee, the aforsaid Quachattasett and Nanumett, doe alienate from ourselues, our heires and assignes for euer, vnto Thomas Butler aforsaid, for himselfe, his heires and assignes for euer : to haue and to hold both the p̄sells of land before mensioned, with the timber, and wood, and grasse that is vpon it. Witnes our hands, this third of July, one thousand six hundred seauenty and two.

The marke  of QUACHATTASETT.

The marke  NANUMETT.

Signed, sealed and deliuered in the p̄sence of

Richard Bourne,

Joseph Bartlett.

This abouesaid conveyance of land was ordered by the Court held att Plymouth, the third of July, 1672, to be recorded.

Att this Court, a letter was read in the Court, which was a returne of an answare to a letter sent vnto the Massachusettes, concerning our collonies acceptance of the proposiōn made by them for the continuance of the confederation, both which letters importeth a joynt acceptance and concurrence in the proposition about the continuance therof.

Att this Court, John Williams, of Scittuate, appeered to answare a complaint against him for breaking the Sabbath by doeing seruill worke theron, and hee preferred a petition to the Court, which was read and considered. Notwithstanding, the Court voated generally that hee lay lyable to be called to answare further to it ; and wheras hee excepted against one p̄ticulare in the sūmons that was last sent for him, in that the place where hee soe brake the Sabbath was not specifyed, the Court proffered him to be tryed by a jury of his equalls, which hee neglected to accept, and soe the Court tooke further cognizance of the case ; and infine hee was sentenced for his prophanation of the Sabbath by doeing seruill worke theron, proued by diuers wittnesses, to pay a fine of forty shillings, according to the law, to the vse of the collonie.

John Williams, of Barnstable, standeth bound vnto the }<sup>n</sup>  
Court in the penall sūme of . . . . . } 10 : 00

Released.

John Howland, of Barnstable, in the sūme of . . . . . 10 : 00

Released.

The condition that wheras the said John Williams is accused to be the father of the child which was lately borne of Sussanna Turner, of Sandwich, if therefore the said John Williams doe alow and duely pay two shillings by the weecke towards the keeping of the said child, vntill the Court of his matie to be holden att Plymouth aforsaid the first Tuseday in March next, the one

1672.

5 July.  
PRENCE,  
Gou<sup>r</sup>.

halfe to be payed in Indian corne, and the other halfe in goods, both att prise currant, to be deliuered att James Pursevalls, att Sandwich, quarterly, (if the said child liue soe longe,) and that hee the said John Williams doe appeer att the Court afsaid, and not depart the said Court without lycence; that then, &c.

Job Bourne, for refusing to serue in the office of a constable att Sandwich, was fined according to order the sume of four poundes.

Dorcace Billington is centanced to suffer corporall punishment by whipping, for comitting fornication; this to be pformed on some lecture day, when the Gou<sup>r</sup> shall see meet.

1 August.

[\*71.]

\*August the first, 1672. Francis Jones, being apprehended att Taunton for pilfering and stealing seuerall pticulares, and committed to prison after examination, was centanced by the Court to be publickly whipt att the post, which accordingly was inflicted, and was forthwith deliuered to John Smith, of Taunton, attorney to Seth Smith, of Medfeild, in the jurisdiction of the Massachusetts, whoe engaged to the Court to deliuer him to the said Seth Smith, his brother, att Medfeild, to be p<sup>s</sup>ented before the next majestrate of the gou<sup>r</sup>ment of the Massachusetts afsaid, for the recouering of such charges as the said Seth Smith hath bin att in proceccution of the said Jones.

10 September.

September 10<sup>th</sup>, 1672. I, Thomas Hughes, of Plymouth, in New England, doe owne and acknowlidg a judgment of sixteen poundes, in currant siluer mony of New England, due and payable from my pson or estate vnto M<sup>r</sup> James Brading, of Boston, or his assignes, wherof I ame convict in due course of law. In witnes wherof I haue herevuto sett my hand this 10<sup>th</sup> day of September, 1672.

THOMAS HUGHES.

This was acknowlidged before Thomas Prence, Esquire, Gou<sup>r</sup> of the jurisdiction of New Plymouth, and before M<sup>r</sup> John Aldin, and M<sup>r</sup> Constant Southworth, Assistants in the same gou<sup>r</sup>ment.

Testa me, NATHANIEL MORTON, Secretary.

12 September.

The 12<sup>th</sup> day of September, 1672, two Indians, the one named James and the other Hobson, appeered before Thomas Prence, Esq<sup>r</sup>, Gou<sup>r</sup>, and M<sup>r</sup> Constant Southworth, Assistant, to answare for theirre feloniously entering the house of John Macomber, Seni<sup>r</sup>, of Taunton, and taking some mony out of his house; and on hearing and full examination of the case, they were centanced to pay to the said Macomber treble restitution, which is nine shillings, in siluer or the vulture therof, and to suffer corporall punishment by

whipping att the post, and to abide in durance vntill satisfaction is made as abouesaid ; and likewise to satisfy the marshall for the charges of there imprisonment, and then to be freed.

1672.

14 August.  
PRENCE,  
Gov<sup>h</sup>.

August the 14<sup>th</sup>, 1672. The jury that was impannelled by the constable of Taunton to view the body of Peter Trebey, the son of Peter Trebey, of Newport, on Rhode Iland, being att Taunton with his mother, Bethya Trebey, att the house of M<sup>r</sup> Gorge Shoue, doth giue there verdict as followeth. This Peter Trebey, being a child of about three yeares old, being neare the riuersyde, by some accident fell into the riuier, and was by Peter Pitts taken vp dead.

Walter Dean,	John Turner,
Richard Williams,	Ensigne Thomas Leanard,
Wilkam Harvey,	Shadrach Wibore,
Joseph Wilbore,	Thomas Linkolne,
James Leanard,	John Richmond,
Christopher Thrasher,	Israell Deane.

Libertie of adminnestration is graunted vnto Anna Little, widdow, the relict of Thomas Little, of Marshfeild, deceased, to adminnester on the estate of the said Thomas Little.

\*Plymouth, this 27<sup>th</sup> of the 6<sup>th</sup>, 1672. These are to whom it may concerne, that Wilkam Harvey and John Richmond, of Taunton, haue giuen mee bill vnder there hands, for the sume of eighty three pounds, which was due from Phillip, the sachem, to the collonie, for which sume the said Phillip engaged to mee foure miles square of land downe Taunton Riuer, and next vnto Taunton bounds, which engagement or mortgage I heerby make ouer vnto the abouesaid Wilkam Harvey and John Richmond, in the behalfe of the towne, for there securitie for the aforsaid bills vnder there hands made vnto mee ; and for the truth of this I haue subscribed my hand the day and yeare aboute written.

[\*72.]  
27 August.

CONSTANT SOUTHWORTH, Treasurer.

The 20<sup>th</sup> of Septem<sup>r</sup>, 1672. Wee whose names are vnderwritten, being the jury warned by the constable of Taunton to view the corpes of John Richmond, Jun<sup>r</sup>, wee found him dead, being killed by the ouerturning of a cart, as wee apprehend, the oxen running downe a hill, and one wheele ran ouer a rocke, and the cart did ouerturne vpon him ; wee found him bruised on

1672. his shoulders, and on his backe below his shoulders, which, as wee apprehend,  
was his death, and noe other way.

20 September.  
PRENCE,  
Gov<sup>r</sup>.

PETER PITTS,  
CHRISTOPHER THRASHER,  
SAMUELL SMITH,  
JAMES PHILLIPS,  
JONAS AUSTINE, Jun<sup>r</sup>,  
JOHN TISDALL, Jun<sup>r</sup>,  
RICHARD BRIGGS,  
THOMAS HARVEY,  
MALLACYE HALLOWEY,  
DANIELL MOKENEY,  
JOHN HODGIS,  
JOHN SMITH.

The answare of the Court vnto the proposition or enquiry made by Mis-  
tris Tilden, whether they judge it meet that the charge of the education of  
her children, and the charge expended for & towards the reparation of the  
minneters house, should be defrayed out of the intire estate of M<sup>r</sup> Joseph  
Tilden, deceased, or out of her p<sup>te</sup> and portion therof; that forasmuch as it  
appears that it was the mind of M<sup>r</sup> Tilden, in his life time, that the said  
charges should be defrayed out of his said intire estate, they judge it meet  
that it should soe be, and not out of her p<sup>ticulare</sup> p<sup>te</sup> therof.

In reference vnto seuerall controversyes that haue or may arise amongst  
the Indians, concerning titles and propriaties of lands, the Court orders, that  
such Indians as are or shalbe att any such controversye, shall repaire vnto, or  
the controversy be refered vnto their cheife sachem, Phillip, sachem of Po-  
kanakett, &c, for the clearing vp and giucing light into such controversyes, the  
Court judging that hee is best able soe to doe, and for that end, the said sachem  
being p<sup>sent</sup> in the Court, they spake to him to be reddy and willing to be healp-  
full in the case, as occasion might require, whoe accordingly engaged soe to doe.

Letters of adminnstration was graunted vnto John Williams, of Scittuate,  
to adminnester on the estate of Edward Williams, late of Scittuate, deceased.

*\*.At the Court of his Ma<sup>tie</sup> held at Plymouth the 29 & 30<sup>th</sup> of 1672.*

*October, 1672.*

BEFORE Thomas Prence, Esq<sup>r</sup>, Cou<sup>r</sup>,  
John Aldin,  
Josias Winslow,  
Wiltam Bradford,

Thomas Hinckley,  
John Freeman, and  
Nathaniel Bacon,

Assistants, &c.

29 October.  
[PRENCE,  
GOVERNOR.]  
[\*73.]

**W**HERAS, vpon a motion made by John Daman and Edward Jenkens, in the behalfe of seuerall of the ancient inhabitants of Scittuate, whoe haue approued themselues to be peacable, and yett neither closing with the co<sup>m</sup>ittee in all thinges, nor yett approueing of the way and course that some others haue taken in the towne, as to the disposing of the vndeuided lands of Scittuate, wherypon the Court gaue them a convenient time to returne their propositions in reference to a medivm or middle way between both, and the names of those p<sup>er</sup>sons, and did alsoe withall suspend the execution of the Court order respecting the p<sup>ro</sup>mises, vntill the said returne should be made to some of the majestrates, and if vpon their said returne there should appeer nothing of waight to alter the aforsaid determination of the Court, that then there should be forthwith due course taken to put the said order in execution; and accordingly the said returne was made on the fifteenth of this instant Nouember, and finding nothing therein of waight to alter the Courts said determination, the said order is put in execution as followeth:—

Plymouth, October 29<sup>th</sup>, 1672. This Court doth appoint and impower Captaine James Cudworth, Cornett Robert Studson, Leiftenant Isacke Bucke, Isacke Chettenden, John Daman, John Turner, Seni<sup>r</sup>, John Bryant, and John Turner, Juni<sup>r</sup>, or any five or more of them, to lay out lands att Scittuate, vnto all those that had an ancient graunt of land from the freemen, before that which is called a surrender, as alsoe to those that were housholder inhabitants in Scittuate before 47, or the successors of such, that neuer received any land from the freemen; and incase the co<sup>m</sup>ittey be not satisfyed concerning the right of any p<sup>er</sup>sons that make claime to lands on the abouesaid considerations, that they proceed to lay out vnto such as haue an unquestioned right, and that such as are doubtfull haue recourse vnto the Court to determine their right; the proportions of land to be layed out wee order to be att the descretion of those that are thervnto appointed, provided noe mans proportion exceed eighty acres or to be lesse than fifty; and it is to be layed out by these men

1672.

29 October.  
PRENCE,  
Gov<sup>r</sup>.

wher it may be most convenient to the psons and least prejudiciall to the townes comons; Cornett Studsons onely to be adjoyning to the land hee had of the country, if by the judgment of these men it be not greatly prejudiciall to the towne; and that the psons abouemensioned doe apply themselves to lay out lands to such as abouesaid, and alsoe those lands that were by the majestates and towne of Scittuate graunted to M<sup>r</sup> Baker and M<sup>r</sup> Witherell the last springe, with all convenient speed.

The Court haue impowered M<sup>r</sup> Micaell Peirse, Edward Jenkins, and John Bryant, of Scittuate, to see vnto the execution of the order of Court prohibiting the transportation of planks, boards, bolts, or barke out of this goument.

An Order directed to Thomas Paine, the Water Bayley.

This Court being enformed that few or none of ours are like to fish att the Cape by saine, and that diuers strangers desire libertie there to fish, these are therefore to impower you, in the behalfe of the Court, to giue libertie to such strangers as shall desire there to fish, carrying orderly and paying such dues as by Court order is prouided; and this shalbe your warrant therein for this p<sup>r</sup>sent season.

The Acknowledgment of Roger Goodspeed.

These are to certify whom it may concerne, that what words passed from mee, Roger Goodspeed, att the meeting house att Barnstable, concerning John Jenkins his stealing my kidd and lying, were rash, vnaduised, and inconsiderate words; and vpon due consideration, I see I had noe just cause soe to say, and amee sorry for soe saying, and desire him to passe it by.

ROGER GOODSPEED, his mark, H.

[\*74.]

\*Att this Court, the Indian named Secunke, with his two sonnes, appeared in Court, and declared and proued by seuerall Indian testimonies, that all Scanton Necke was their fathers land; and the said Indian testimony did testify, that it was these two younge mens lands, and was their fathers, and their grandfathers, and their great grandfathers; and the said Secunkes two sonnes did owne and acknowledge that they had sold and disposed of p<sup>r</sup>te of the said necke to the B<sup>a</sup>stable men, viz<sup>t</sup>, that end of the said necke next vnto Barnstable towne, or the sandy beach, soe farr on the necke towards the westwards vntill it comes right against the brushey swamp, and on the maine to the said brushey swampe, and soe by a straight line to the sea. Alsoe, Quachattasset, the sachem of Mannomett, did likewise owne and acknowledge

before the Court, that the aforesaid Secunke was the owner and propriator of the said Sewaton Necke, and that the said Secunke had giuen vnto the said Quachattasett all that p̄te of the said necke next vnto Sandwich vntill it comes to the said brushey swampe, neare vnto Robert Harpers.

1672.

29 October.

PRENCE,  
GOU<sup>r</sup>.

The Court, being satisfied by these testimonies that the lands abouemensioned, being the souther p̄te or end of the said Seanton Necke as farr as the brushey swampe on the maine, and from the said swampe by a straight line to the sea on the same point, that is, the range between the townes of Sandwich and Barnstable, was fairly obtained of the abouemensioned Secunke, the right owner, by Barnstable men, doe see clear reason to determine, that vnto the bounds aboue expressed doth and shall appertaine vnto the towne of Barnstable, and that the lands of Captaine Mathew Fuller and the lands of Samuell Fuller, Seni<sup>r</sup>, doe alsoe come and joyne home vnto the abouemensioned line.

The Court allowes and giues libertie vnto Saconesett men to make such good and wholsome orders as may be vsefull for their cōmon good in the place where they liue; and what shalbe done by the major p̄te shalbe binding to the whole.

Liberty is graunted by the Court vnto Ensigne John Haward to keep an ordinary for the entertainment of strangers att Bridgwater; and that hee provide himselfe with nessesaries in that behalfe, and keep good orders in his house, that soe there be noe just cause of complaint by reason of any disorders in that respect.

In answare vnto a proposition made to the Court by the towne of Bridgwater, that wheras senerall p̄sons were formerly appointed by the Court to lay out their lands, some wherof a<sup>r</sup> deceased, and others taken off by other occasions, that they may haue libertie to depute some others amongst themselues to be improued for that end, the Court doe declare themselues willing that they may soe doe, and that in case the propriators of the said lands shall generally agree vpon any thinge respecting their lands, that the clarke of the towne shall cōmitt such their conclusions to the records of the towne; and that Elder Brett, M<sup>r</sup> Nicholas Byram, and M<sup>r</sup> Samuell Edson be heerby deputed by the Court to purchase those lands which lye on the north syde of Teticott Riuer, within the bounds of Bridgwater, of the Indians, for the townes vse.

It is ordered by this Court, that an Indian called Old John, allies Mopes, shall pay vnto Wiltam Swift six pound, to be deliuered in tarr att Sandwich, att or before the first of May next, with the charges which hath arisen about a suite cōmenced att the Court of the Celect Men of the towne of Barnsta-

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Gov<sup>r</sup>.

ble against the said Swift ; and in defect of payment as aforesaid, then the said Swift is heerby impowered to seize on the body of the said Old John, allies Mopes, and to bringe him or cause him to be brought before the Gov<sup>r</sup> or Court, whoe will take such a due course as that his just dues shalbe satisfied by the service or sale of him, the said Old John, allies Mopes ; and vpon the Courts graunt of this order, the said Wilłam Swift did engage to acquitt and release Jedadia Lumbard from that engagement of his to the said Wilłam Swift on that account of the said Old John, or any other Indians whoe were his securitie.

[\*75.] \*The Names of the psons appointed by the Court to see to the Execution of the Orders of Court prohibiting the Transporting of Plankes, Boards, Bolts, or Barke out of the Gov<sup>r</sup>ment ; which Order beareth Date June, 1672.

For Scittuate, . . . . .	{ Mr Micaell Peirse, Edward Jenkins, John Bryant.
For Duxburrow, . . . . .	{ M <sup>r</sup> Samuell Saberry, John Traeye.
For Plymouth, . . . . .	{ Wilłam Harlow, Joseph Howland.
For Taunton, . . . . .	{ Ensigne Lenard, John Tisdall, Seni <sup>r</sup> .
For Marshfeild, . . . . .	{ Justus Eames, Samuell Sprague.

In reference to a controversye depending betwixt the townes of Taunton and Swansey respecting the lands mortgaged to the Treasurer by Phillip, the sachem, being by the said townes respectiue agents refered to this Court for the finall determination and issue therof, whose pleas being heard and duely weyed, this Court orders, that the three miles first purchased, for which a deed hath bin obtained of the said sachem, shalbe and belonge vnto the towne of Taunton, and accounted within their township, and the other mile to be and belonge vnto the towne of Swansey and within their township, provided that Swansey men doe pay or cause to be payed their full part of the payment made or to be made for the redeeming of the said lands mortgaged, or for the farther payment of the purchase vnto Phillip, according both for specie and time equally proportionable to the other lands purchased as abouesaid ; alsoe, that Swansey men shall from time to time allow convenient wayes to Taunton men vnto their meddowes lying within the line of Swansey, and timber to



fence them, with such small strips or points of vpland to run their fence on as may be necessary for their fencing the said meadows, and that the said meadows be exempted from rates at Swansea.

In reference unto a controversy between John Williams, of Scituate, and William Rogers, concerning accounts and other matters betwixt them, they have agreed, and have made choice before the Court of Capt Cudworth, Leif Bucke, and Thomas Turner, or any two of them, to hear and finally to determine and to put to a full issue all such differences as are between them; and to meet together for that end and purpose on Monday, the 28<sup>th</sup> of this instant November, 1672, at the house of Edward Jenkins; and John Cushen is hereby empowered to administer an oath to any witnesses in reference to the said case as occasion may require.

William Makepeace, Senior, living at Taunton River, for lascivious attempts towards an Indian woman, was sentenced by the Court to be publicly whipped at the post, which accordingly was performed.

And the said Makepeace, for selling strong liquors to the Indians, was fined the sum of five pounds.

Jabez Lumbert, for selling liquors to the Indians, fined fifty shillings.

Edward Coleman, of Barnstable, for cursing, fined five shillings.

Thomas Jones, of Taunton, for being drunk the second time, fined ten shillings.

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*\*At the Court of his Ma<sup>ty</sup> holden at Plymouth the fourth of  
March, 1672.*

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4 March.  
[\*76.]

BEFORE Thomas Prence, Esq<sup>r</sup>, Gov<sup>r</sup>,  
John Aldin,  
Josias Winslow,  
William Bradford,

Thomas Hinckley,  
John Freeman, and  
Constant Southworth,

Assistants, &c.

**W**HERAS at the General Court of his Ma<sup>ty</sup> holden at New Plymouth in June, anno 1670, the Court, upon divers serious considerations thereunto moving, did freely give and grant all such profits as might or should annually accrue or grow due to this colony, from time to time, for fishing with nets or seines at Cape Codd for mackerell, bass, or herrings, as by the said grant doth fully appear, to be employed and improved for and towards a free school in some town of this jurisdiction, for the training up

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of youth in literature for the good and benefitt of posteritie, provided a beginning were made within one year after the said graunt; and that the ordering and managing of the said affaire was by the said Court comitted to the Gov<sup>r</sup> and Assistants, or any four of them; and that within the time limited there hath bin a beginning made att Plymouth, and hither to continued, by Gods blessing, with good successe, as vpon examination may appeer; and whereas the said towne in generall haue giuen and graunted whatsoeuer proffitts may any way arise from or by the improuement of a considerable tract of vpland and meddow belonging to the said towne of Plymouth, lying and being att Agawaam, Sepecan, and places adjacent, for and towards the maintainance and vpholding of the said scoole att Plymouth; as alsoe since seuerall of the towne of Plymouth, out of their good affections, haue freely giuen out of their owne estates for the erecting or procuring a convenient scoole house, not onely for the better accomodating of the scollers, but alsoe for the scoolmaster to liue and reside in, as God by his prouidence may please to present, all the promises being considered, in hope that God may please soe to smile vpon this our day of small things as to make it a blessing to the rising generation;—

This Court hauing taken themselves much obliged reddily and gladly to accept of that trust comitted vnto them by the aforesaid Generall Court, and doe heerby reddily and cheerfully accept therof, and hope, by Gods assistance, faithfully and carefully to vse their best indeauours, what in them lyeth, to incourage and carry on the said well begun worke att New Plymouth soe long as God shalbe pleased to affoord any competensie of meanes and convenient number of scollars, and to that end doe appoint and constitute our approued frind, M<sup>r</sup> Thomas Hinckley, to take vpon him the office, care, and charge of a steward of the said scoole, to demand, recouer, and receiue all such summe or summes of mony due from any pson or psons to the said scoole, either by renew of the aforesaid graunt of the Court or the graunt or gift of the towne of Plymouth, or any otherwise due; and that hee doe giue a trew account of all such moneyes received once or twice in the yeare vnto the Gov<sup>r</sup> and maiestrates, or any four of them, as it shalbe required, as alsoe to make such payments and disbursments to any employed in or about the said worke as hee shalbe ordered by them, according to moneyes received by him on that account from time to time; and that hee be allowed due satisfaction for any trouble or expence about the said employment.

[\*77.]

\*Att this Court, Mistris Elizabeth Howland, the relict of M<sup>r</sup> John Howland, Seni<sup>r</sup>, deceased, came into the Court, and did freely giue and surrender vp all her right that shee hath in the lands of the said John Howland, Seni<sup>r</sup>, lying and being att Nanassakett, in the township of Middleberry, vnto M<sup>r</sup>

John Gorum, of Barnstable, to him and his heires and assignes for euer, viz<sup>y</sup>: 1672-3.  
 all the right and interest that hee, the said John Howland, had by the Courts  
 graunt vnto seuerall propriators in Namassakett land, which said graunt bear-  
 eth date anno Dom̄i 1662, with all and singulare the appurtenances belonging  
 therunto, or to any p̄te or p̄sell therof, vnto him, the said John Gorum, to him  
 and his heires and assignes for euer.

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 Gov<sup>r</sup>.

Att this Court, Sachemus, the sachem of Satuckett, came into the Court, and acknowledged before the Court that hee and his father hath sold formerly vnto M<sup>r</sup> Thomas Prence all the land att or neare Satuckett, from the Indian fence by the water syde ranging into the woods, bounded by a pyne tree, about halfe a furlonge to the westward of a pond by the water side called Aquonest, and soe running southerly ouer a pond called Wishoea, and soe into the woods, all the lauds below the longe ponde that runs through the plaines towards Pottanumacutt called Mashpa, and from the said Indian hedge att the water syde to Nemskekett, the westerly p̄te of the meddow.

Att this Court, Leiftenant Morton, Sarjeant Harlow, Joseph Warren, and William Clarke, or any three of them, are appointed by the Court to purchase whatsoeuer lands are yett vnurchased of Plymouth graunt att Sepecan and places adjacent within the said graunt for the vse of the said towne; and they are to acquaint the Indians when they goe about it, that soe they may come, if it may be, to know the right propriators therof; and incase they purchase more then what is within the said graunt, they are to acquaint the Court therewith.

In reference to a deed deliuered into the Court by Cap<sup>t</sup> Willett, called Whitmans deed, the Court haue ordered, that the said Cap<sup>t</sup> Willett shall either haue his deed againe or be payed by the propriators in the same land what hee hath disbu<sup>r</sup>ed for the purchasers therof.

Wheras Joseph Turner hath sold a p̄sell of cooper stuffe, now lying att Peirses landing place att Scittuate, vnto Robert Stanford, of Scittuate, and the said Turner hath owned that hee hath both sold and deliuered it, but now threatens to disturb the said Stanford in the injoyment therof, the Court heerby ordereth, that if occasion require, that the constables of Scittuate, or either of them, shall affoord such assistance soe as the said Stanford may enjoy his said stuffe without disturbance.

It is ordered by the Court, that such of the townes of this gou<sup>r</sup>ment as haue not deliuered thire Indian guns, that they bring them or cause them to be brought to some one house in thire towne, either to the constables or to some one of the celect men, that soe they may be reddy, vpon any order from the Court sent by any English, to be deliuered to the Indian owners, and that they keep the said order soe sent for thire discharge.

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[\*78.]

\*The Court haue ordered the major and Cap<sup>t</sup> Bradford to heare and put an end to a difference between two Indians, the one called John Thomas and the other called Janoowan.

In reference to the complaint of Thomas Linkolne, of Taunton, against Wiltam Briggs, on suspection that hee hath killed his horse, the Court, haueing heard the plea of the said Linkolne and the defence of the other, doe conceiue that they might haue passed a judgment in the case; but forasmuch as the said Briggs pleadeth that the matter came suddainly on him, wherby hee is vnprouided to defend, and wheras alsoe hee saith that hee knoweth not what his wife hath done respecting the promises, the Court haue ordered, that both hee, the said Wiltam Briggs, and his wife, be summoned to the Court of his mat<sup>ie</sup> to be holden att Plymouth in June next, then and there to make further answare to such matters as shalbe enquired of them concerning the same, vnlesse in the mean time they come to an agreement about it.

Wheras the Court is informed, that vnder pretence of the naighbourhood of Satuekett its being within the townshipp of Yarmouth, that some of Yarmouth doe make stroy of the timber properly belonging to the said neighborhood, to their great damage and detriment, this Court doth heerby prohibite any further proceeding in makeing such stroy or treaspas aforesaid; the Court declaring, that notwithstanding the said neighborhood is within the constablericke of Yarmouth, yett that they haue nothinge to doe to meddle with any timber or other priuiledge appertaining to the said neighborhood, being between Bound Brooke and Stony Brooke, vnlesse they can produce any record of the Court giuing them libertie soe to doe.

Letters of adminnestration was graunted vnto Mistris Elizabeth Howland to adminnester on the estate of M<sup>r</sup> John Howland, Senir, of Plymouth, late deceased.

Libertie is allowed and graunted to Joseph Barstow to keep an ordinary att Scittuate att the place where hee now liues, and that hee be prouided alwaies with nessesaries for the entertainment of traucellers, and keep good orders in his house, that there be noe just cause of complaint against him in that behalfe.

Libertie is graunted vnto Matthew Gannett to keep an ordinary att Scittuate in the place where hee now dwelleth, and that hee bec prouided att all times with such nessesaries as is behoofull for the entertainment of strangers, and keep good orders likewise in his house, that there be noe just cause of complaint against him in that behalfe.

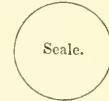
Be it knowne vnto all men by these presents, that I, Isacke Turner, of Sandwich, in the collonie of New Plymouth, vpon the behalfe of my sister, Sussanna Turner, as relating to the keeping of the child of hers which was

in contest about att the Court, these are therefore to signify, that I doe acquitt, disownarate, and discharge John Williams, now resident in Barnstable, that hee, the said John Williams, shalbe free from keeping or maintaining of the child, which is my sister Sussanna Turners. For the true pformance of which, I, the abouesaid Isacke Turner, doe heervnto sett my hand and my seale, this 28<sup>th</sup> day of October, 1672.



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Gov<sup>r</sup>.

ISACKE TURNER, and a



In the p'sence of these witnesses : —

John Goodspeed  his marke.  
Aron Barlow  his marke.

This abouesaid obligation was shewed in the Court, and ordered heer to be recorded by the Court for the securitie of the said John Williams, as abouesaid.

\*In reference vnto the presentments of Abraham Hedge, his offences being of soe flagicious a nature, the Court doth centance him to pay a fine of ten pounds or to suffer corporall punishment by being whipt att the post, and to find surties for his good behavior. Sence the centance was read, vpon his solliciting the Court by a petition, and giueing some hopes therein of reformation, the Court saw reason to remitt five pound of the fine.

[\*79.]

Abraham Hedge, of Yarmouth, acknowledgeth to owe }<sup>n</sup>  
vnto our soũ lord the Kinge the sume of . . . } 10 : 00 : 00  
Willam Hedge, of Yarmouth, the sume of . . . . 10 : 00 : 00

Released.

The condition, that if the said Abraham be of good behavior towards our soũ lord the Kinge and all his leich people, and appeer att the Court of his ma<sup>tie</sup> to be holden att Plymouth in June next, and not depart the Court without lycence ; that then, &c.

Nicholas White, Seni<sup>r</sup>, of Taunton, stands bound vnto the }<sup>n d</sup>  
Court in the penall sume of . . . . . } 20 : 05  
Samuell Hall, Seni<sup>r</sup>, of Taunton, in the sume of . . . . 20 : 00

Released.

The condition, that if the said Nicholas White doe appeer att the Court of his ma<sup>tie</sup> to be holden att Plymouth in June next, to make further answare to what may be required of him in reference to the charge and accusation of Jaell Smith, wherin shee chargeth him to haue comitted vncleanes with her, and that hee, the said White, depart not the said Court without lycence ; that then, &c.

Thomas Jones stands bound vnto the Court in the penall }<sup>n</sup>  
sume of . . . . . } 20 : 00  
John Richmond in the sume of . . . . . 10 : 00  
Thomas Deane in the sume of . . . . . 10 : 00

Released.

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Gou<sup>r</sup>.

The condition, that if the said Thomas Jones doe appeer att the Court of his ma<sup>tie</sup> to be holden att Plymouth in June next, to make further answere to what may be required of him in reference to the charge and accusation of Jaell Smith, wherin she chargeth him to haue comitted vneleanes with her, and that hee, the said Jones, depart not the said Court without lycence ; that then, &c.

Memorandum : that John Smith and Jaell, his wife, be su<sup>m</sup>oned to the said Court in reference to the p<sup>m</sup>ises.

Francis Curtice, for comitting fornication with his now wife before marriage, fined fifty shillings.

Abisha Marchant and Mary Tayler, for comitting fornication with each other, fined each of them five pound.

Thomas Nicolls, for telling of a lye, fined ten shillings.

Gorge Russell, for misdemeanor towards Joseph White, fined ten shillings.

Robert Stanford, for being drunke, fined five shillings.

1673.

3 June.  
[WINSLOW,  
GOVERNOR.]  
[\*80.]

*\*.Att a Generall Court of Election holden*

BEFORE John Aldin,	John Freeman,
Josias Winslow,	Nathaniel Bacon, and
Thomas Hinckley,	Constant Southworth,
Wiltam Bradford,	
Assistants, &c,	

*The third Day of June, 1673.*

**M**AJOR JOSIAS WINSLOW, ESQ., was chosen Gou<sup>r</sup>, and sworne.

John Aldin,	} were chosen Assistants, and sworne.
Thomas Hinckley,	
Wiltam Bradford,	
John Freeman,	
Nathaniel Bacon,	
Constant Southworth, and	
James Browne,	

Major Josias Winslow, Esq<sup>r</sup>, and } we<sup>r</sup> chosen Comissioners.

Mr Thomas Hinckley

Cap<sup>t</sup> Bradford the next in nomination.

Mr Constant Southworth was chosen Treasurer, and sworne.

The Names of the Ch elect Men of each Towne in this Jurisdiction.

1673.

3 June.  
[WINSLOW,  
GOVERNOR.]

Plym̄, . . . . .	{	Leif Morton, Serjant Harlow, Wil Crow.
Duxberry, . . . . .	{	Samuell Saberry, Benjamin Bartlett, William Paybody.
Scittū, . . . . .	{	Micæll Peirse, John Cushen, Jeremiah Hatch.
Sand, . . . . .	{	James Skiffe, Seni <sup>r</sup> , William Swift, Thomas Tupper, Juni <sup>r</sup> .
Taunton, . . . . .	{	Walter Dean, Rich Williams, Leif Macye, William Harvey, John Tisdall.
Yarmouth, . . . . .	{	Edmond Hawes, Edward Sturgis, Ensigne Howes, John Miller, John Thacher.
Barnstable, . . . . .	{	Leif Laythorp, John Gorum, John Tompson.
Easth, . . . . .	{	Nicholas Snow, Marke Snow, Jonathan Sparrow.
Bridw̄, . . . . .	{	John Willis, Seni <sup>r</sup> , Leif Haward, John Carrey.
Dartm̄, . . . . .	{	John Cooke, Arther Hathewey, James Shaw.
Swansey, . . . . .	{	Mr Allin, Hugh Cole.
Middleberry, . . . . .	{	Hath none.

1673.

3 June.  
WINSLOW,  
Gov<sup>r</sup>.  
[\*81]

\*The Deputies of the Seuerall Townes of this Jurisdiction that serued att this Court, and the seuerall Adjournments therof.

Leiff Morton,	John Tompson,
Mr Crow,	Ensigne Eames,
Mr Josias Standish,	Anthony Snow,
Wilham Paybody,	Leiff Hunt,
Cornett Studson,	Anthony Perrey,
Isacke Chettenden,	Thomas Paine,
Thō Tupper, Jun <sup>r</sup> ,	Jonathan Sparrow,
Will Harvey,	John Willis,
Leiff Macey,	John Cooke,
Ensigne Howes,	Hugh Cole,
John Thacher,	John Morton.
Leiff Laythorpe,	

The Grand Enquest.

Serjeant Wilham Harlow,	John Nye,
John Cushen,	Samuell Smith,
Phillip Delano,	John Dillingham,
Micaell Peirse,	Gorge Morton,
John Finney, Seni <sup>r</sup> ,	Nathaniell Bassett,
Peter Pitts,	Wilham Foard,
Alexander Standish,	John Banges,
Sherjashubb Bourne,	John Eames,
Samuell Hinckley,	Joseph Carpenter,
John Caruer,	Wilham Palmer,
Thomas Willmott,	Obadiah Eedey,
Thomas Read,	Moses Rowley.

The Constables of the seuerall Townes of this Jurisdiction are as followeth.

Plym,	John Fallowell.
Dux :	Mr Ralph Thacher.
Scit <sup>t</sup> ,	{ Nathaniell Turner, Henery Chettenden.
Sand,	Benjamine Nye, Seni <sup>r</sup> .
Taunton,	{ Aron Knap, Seni <sup>r</sup> , John Deane.
Yarmouth,	Elisha Hedge.
Bar <sup>n</sup> ,	Jabez Launbert.
Marshf :	{ Wilham Sherman, Jun <sup>r</sup> , John Branch.



Rehob,	. . . . .	{ Nathaniel Paine, Gilbert Brookes.
Bridĝ,	. . . . .	Samuell Edson, Junir.
Swansey,	. . . . .	John Cole.
Dartm,	. . . . .	{ Jacob Michell, William Haward.
Middlebeř,	. . . . .	John Dunham.

1673.

3 June.  
WINSLOW,  
Gov<sup>r</sup>.

## Surveyors of the Highways.

Plym,	. . . . .	{ Joseph Warren, Andrew Ringe, Jonathan Shaw, Nathaniel Southworth.
Dux :	. . . . .	{ Joseph Wadsworth, Josias Wormall, John Hudson.
Scitř,	. . . . .	{ John Bryant, Senir, Steuven Vinall.
Sand,	. . . . .	{ Jacob Burge, William Allin.
Taunř,	. . . . .	{ John Cobb, Joseph Wilbore.
Yarim,	. . . . .	∨ ∨
Barnstable,	. . . . .	{ William Crocker, Thomas Huckens.
Marsh,	. . . . .	{ Thomas Doged, Timothy Wiltamson.
Rehob,	. . . . .	{ John Miller, Senir, Benj : Sabin.
Easř,	. . . . .	{ John Done, Daniell Done.
Bridĝw,	. . . . .	{ Marke Laythorp, Gyls Leich.
Dartm,	. . . . .	{ Pelegg Tripp, John Smith, Thř Tabor.
Swansě,	. . . . .	{ John Martin, Joseph Chaffey, Caleb Eedej.
Middlebeř,	. . . . .	Samuell Wood.

1673.

3 June.  
WINSLOW,  
Gov<sup>r</sup>.

[\*82.]

\*In answere to a petition prefered to the Court by Joseph Burge, concerning a way that goeth through the land of Myles Blackwell, and through the land of Benjamine Hamond, att Sandwich, the Court haue ordered, and doe request, M<sup>r</sup> Hineckley and M<sup>r</sup> Bacon in some convenient time to treat with and compound with the said Blackwell and Hamond about the said way, in the behalfe of the said Burge, soe as on just and equall tearmes hee may enjoy it as formerly.

In reference to the complaint of Thomas Linkolne, of Taunton, against Wiltam Briggs, for killing of his horse, the Court doth centance the said Briggs to pay vnto the said Linkolne the sume of twelue pounds, in good and marchantable barr iron and sheeps woole, att prise currant, or in other pay, to the said Linkolnes satisfaction, except the said Briggs can and doe bring forth the pson that hath killed the horse.

In reference to the complaint of Richard Sutton, of Roxberry, against Moses Symonds, and Sarah, his wife, and Elizabeth, their daughter, that shee, the said Elizabeth, hath made a promise of marriage vnto him, and is hindered by the parents of the said Elizabeth from proceeding with her therein, the Court, haucing heard the pleas of each of them, doth determine and order that the said Moses Symons shall pay or cause to be payed to the said Sutton the sume of three pounds, for satisfaction for his time and charges spent about the promises, and doe heerby declare that the said Richard and Elizabeth are fully released from the said engagement, vnles on second considerations they shall see cause to renew their former couenants.

In reference to the motion made by M<sup>r</sup> Saberry and Jonathan Barnes concerning the children of Robert Marshall, that wheras they are left in a destitute condition, they may haue libertie to dispose of them for the learning of some trade or manufactory for their future good, the Court giues libertie to them to put out the eldest to the learning of a trad, and to take care of the legaye giuen by M<sup>r</sup> Barnes, deceased, vnto the said children, and to improve it for their good.

Lres of adminestration are graunted vnto Julian Sutton, widdow, the late wife of John Sutton, of Rehoboth, deceased, and vnto Nathaniel Paine, to adminnester on the estate of the said Sutton.

Att this Court, Abraham Peirse, Jun<sup>r</sup>, came into the Court, and did make ouer, giue, graunt and assigne, assure and confeirme, vnto his brother, Isacke Peirse, twenty aeres of vpland and two aeres of meddow, vnto him, the said Isacke Peirse, his brother, with all and singulare the appurtenances belonging thervnto, vnto him and his heires and assignes for euer, which vpland and meddow is pte of the land and meddow of his father, Abraham

1673.

3 June.  
WINSLOW,  
Gou<sup>r</sup>.

Peirse, deceased, hee dying intestate, and soe the said land, falling vnto the said Abraham Peirse, Juni<sup>r</sup>, as his proper right, hee doth by these p<sup>r</sup>sents relinquish the said twenty acres of vpland and two acres of meddow, as aforesaid; and likewise twenty shillings a peece vnto his three sisters, viz<sup>d</sup>, Rebeckah Wills. Mary Baker, and Allice Baker; on which surrender, and hee giueing other securitie to the Court, the Court allowed the said Abraham Peirse, Juni<sup>r</sup>, to adminnester on the estate of the said deceased Abraham Peirse, and to haue the resedue of the said estate, both lands, goods, and chattles, settled and established to him, the said Abraham Peirse, Juni<sup>r</sup>, to him and his heires and assignes for euer.

\*Att this Court, a tender was made of the house and lands which our honored Gou<sup>r</sup>, Thomas Prence, Esq<sup>r</sup>, died possessed of, on condition of the repaying againe of what was expended in the additions and reparations ther-vnto; and accordingly was by the country accepted.

[\*83.]

In answare to the proposition made to the Court in the behalfe of the towne of Scituate, for the prohibiting of a com<sup>m</sup>ittee or any other for to dispose of any vndeuided lands, or any other com<sup>m</sup>on privilidges in that township, the Court apprehends that they ought to be left to their liberties in that behalfe, especially considering the p<sup>r</sup>sent contentions respecting the p<sup>r</sup>misses.

John Cushen, of Scituate, is appointed and authorised by the Court to solemnise marriage in the towne of Scituate, and to adminnester an oath to giue euidence to the grand enquest, and to grant subpenaies for wittnes, as occation may require.

Christo<sup>f</sup>er Blacke, for being found drunke the second time, was fined ten shillings to the vse of the collonie; and for being found drunke the third time, was centanced by the Court to find surties for his good behavior, which hee indeauored to doe, but could procure none, and soe the Court were constrained to take his owne bonds, as followeth:—

Christopher Blacke acknowledgeth to owe vnto our so<sup>f</sup> }<sup>ii</sup>  
lord the Kinge the sume of . . . . . } 20 : 00 : 00

The condition that if the said Christopher Blake be of good behavior towa<sup>r</sup>s our so<sup>f</sup> lord the Kinge and all his leich people, and appeer att the Court of his ma<sup>t</sup>ie the last Tusday in October next, and not depart the said Court without lycence; that then, &c.

Joseph Roes, of Marshfeild, being groundedly suspected to haue had to much familiaritie with the wife of John Loe, in a dishonest way, the Court saw reason to take his bond for the good behavior, as followeth:—

Joseph Roes, of Marshfeild, acknowledgeth to owe }<sup>ii</sup>  
vnto our so<sup>f</sup> lord the King the sume of . . . . . } 20 : 00 : 00

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The condition that if the said Joseph Roes shall and doe for the future refrain from companying with the wife of John Loe, of Marshfield, and doe not att all come in her companie, and appeer att the Court of his ma<sup>tie</sup> to be holden att Plymouth the last Tusday in October next, and not depart the said Court without lycence; that then, &c.

Att this Court, Nicholas White and Thomas Jones, both of Taunton, appeared according to their bonds, to make answare to the accusation of Jaell Smith, whoe accused them to haue comitted vncleanes with her; shee the said Jaell being p<sup>s</sup>ent, and to their faces accused them as aforesaid, the Court, haueing heard what could be asserted on all syds respecting the p<sup>r</sup>misses, did award the said Jaell to pay a fine of ten pounds, and that the said White and Jones should renew their bonds for appeerance att the Court to be holden att Plymouth in October next.

Nicholas White standeth bound vnto the Court in the }<sup>ii</sup>  
sume of . . . . . } 20 : 00 : 00

The condition that if the said Nicholas White doe appeer att the Court of his ma<sup>tie</sup> to be holden att Plymouth the last Tusday in October next, to make further answare to the accusation of Jaell Smith, and not depart the said Court without lycence; that then, &c.

Thomas Jones, of Taunton, stands bound vnto the }<sup>ii</sup>  
Court in the sume of . . . . . } 20 : 00

The condition that if the said Thomas Jones doe appeer att the Court of his ma<sup>tie</sup> to be holden att Plymouth the last Tusday in October next, to make further answare to the charge of Jaell Smith, and not depart the said Court without lycence; that then, &c.

[\*84.] \*Jaell, the wife of John Smith, of Taunton, for co- }<sup>ii</sup>  
m̄itting fornication, was fined . . . . . } 10 : 00

John Andrew, for being drunke the second time, fined }  
10<sup>s</sup>, and for breach of the peace, by striking Robert } 13 : 04  
Ransom, fined, 3<sup>s</sup> 4<sup>d</sup>, . . . . . }

Robert Ransom, for misdemeaning himselfe in abusive words, tending to the breach of peace to John Andrewes, released with admonition.

Richard Man, for breach of the Sabbath, as the case was some cercomstanced, was onely to be sharply reproofed by Captaine Cudworth, in the Courts behalfe, and John Allin to be sumoned to the Court, to make answare for his default on that account.

Thomas Lucas, for being drunke, released with admonition.

Mistris Tildens account ordered to be recorded, as followeth: —

The exequitrix is charged with . . . . . 1367 : 05 : 04

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Item, payed for funerall charges, debts, and legacyes, as followeth :—	
Item, in funerall expence, . . . . .	012 : 18 : 00
Mr Tilden was att Boston as in the inuentory which is payed, . . . . .	} 058 : 11 : 00
Item, a legacy to Mary and Richard Garrett, . . . . .	004 : 00 : 00
Item, payed a legacye to Goodwife Sutton, . . . . .	005 : 00 : 00
Item, payed Sister Garretts legacy, . . . . .	005 : 00 : 00
Item, payed Joseph and John Garretts legacy, . . . . .	004 : 00 : 00
Item, payed John Allin a debt, . . . . .	001 : 00 : 00
Item, payed Joseph Randall a debt, . . . . .	000 : 15 : 08
Item, payed to Thomas Hatch, for wintering oxen, and for allowance promised him about a mare, . . . . .	} 001 : 00 : 00
Item, payed to John Bryant, as due to him, . . . . .	000 : 08 : 00
Item, payed for repaireing the minnesters house, which Mr Tilden left in charge to be done by his wife, . . . . .	} 005 : 00 : 00
Item, payed by mee for the scooling and boarding my 2 sonnes, which my husband was vrgent with the captaine to vndertake, . . . . .	} 012 : 00 : 00
Item, payed to Joseph Turner, for worke hee did for my husband, . . . . .	} 002 : 07 : 03
Item, payed John Bryant, Jun <sup>r</sup> , for tending the saw mill,	006 : 00 : 00
Item, payed Goodwife Woodfeild, . . . . .	000 : 06 : 08
	<u>118 : 06 : 07</u>
Item, payed Elder Kinge, . . . . .	000 : 03 : 11
Item, payed to Wiltam Tickner, . . . . .	000 : 05 : 10
Item, payed John Vinall, . . . . .	000 : 11 : 00
Item, payed to Abraham Sutcliffe, . . . . .	000 : 08 : 00
Item, payed James Nash for carryage of plank to Boston,	010 : 00 : 00
Item, payed Nath Curch for tending the saw mill, . . . . .	009 : 17 : 00
Item, payed Doctor Chickering for one voyage, and for phissick, . . . . .	} 003 : 06 : 00
Item, payed Richard Beare, . . . . .	001
Item, payed Goodman Briggs, for boards owing him,	000 : 12 : 00
Item, for taking the inuentory for proueing the will,	_____
	Sume, <u>144 : 10 : 04</u>
*Brought ouer from the other syde . . . . .	144 : 10 : 04
Item, for takeing the inuentory, for proueing the will, for carrying testimonies, recording will and inven- tory, 4 deeds, and a letter of attorney and bond, . . . . .	} 002 : 02 : 00
	<u>146 : 12 : 04</u>

[\*85.]

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Amongst debts vpon bills, these particulars are following, and conceiued to be very doubtfull whether euer they wilbe payed, and therefore the exequitrix ought not to be charged with them as effects in her hands, but soe farr as shee receiues any of them, to be liable to make good to the children: —

Item, debts on bills & accompts, as followeth, viz,	002 : 15 : 09
John Great, . . . . .	021 : 16 : 09
Thomas Hawkins, . . . . .	019 : 00 : 00
Daniell Turner, . . . . .	006 : 03 : 00
Joseph Roes, . . . . .	002 : 12 : 00
John Hanmore, . . . . .	001 : 10 : 00
John Witherden, . . . . .	006 : 00 : 00
Moses Payne, . . . . .	003 : 10 : 00
James Doughtey, . . . . .	000 : 10 : 00
Joseph Wormald, . . . . .	
	<hr/>
	054 : 17 : 06

Alsoe vpon accompt these doubtfull: —

Ezekiell Mayne, . . . . .	002 : 04 : 05
Thomas Lapham, . . . . .	001 : 09 : 09
Richard Havis, . . . . .	000 : 08 : 06
James Doughtey, . . . . .	001 : 05 : 09
Richard Tayler, . . . . .	000 : 04 : 06
	<hr/>
	060 : 10 : 05

Ouercharged in casting, . . . . . 000 : 08 : 05

And Gillums 44<sup>li</sup> is pte of 116<sup>li</sup> 17<sup>s</sup> 7<sup>d</sup>, being charged debts att Boston, and Gillums bill, being amongst the bills, is charged againe by ouersight, which must be abated in the accompt, . . . . . } 044 : 00 : 00

Alsoe in debts vpon booke and accompt ouer cast in the totall, . . . . . } 001 : 01 : 00

Richard French, charged twice, ouer charged, . . . . . 004 : 05 : 08

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049 : 15 : 01

Alsoe an oxe that died, more charge expended on then his hyde was worth, . . . . . } 005 : 00 : 00

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261 : 17 : 10

Debts att Boston, due to M<sup>r</sup> Tilden, which are charged vpon accompt to be . . . 116 : 17 : 07<sup>d</sup>. }

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Widdow Vpshall debt was, . . . . .	7 <sup>h</sup> : 17 : 04	}
Thomas Hawkins, . . . . .	34 : 18 : 09	
Mr Hammon, . . . . .	01 : 15 : 00	
William Greene, . . . . .	23 : 12 : 04	
Benjamin Gillum, . . . . .	44 : 00 : 00	
William Balston, . . . . .	04 : 05 : 00	
The executrix is to haue her legacy in the first place,	200 : 00 : 00	
Out of the estate before it be devided is to be taken	}	058 : 00 : 00
20 <sup>h</sup> for Rebeckah, and a bed furnished; 18 <sup>h</sup> and		
20 <sup>h</sup> in mony, for Elizabeth and Lydia, . . . . .		
The saw mill being prised att 70 <sup>h</sup> , this ought to be	}	070 : 00 : 00
taken out of the estate, and they to haue each of		
them an eight pte of what it doth yeild, . . . . .		
	<hr/>	
	589 : 17 : 10	
The estate charged on the executrix is, . . . . .	777 : 07 : 06	
Further shee is debter to the saw mill sold, . . . . .	043 : 00 : 00	
	<hr/>	
	820 : 07 : 06	
Out of which the Court allowes Mistris Tilden, vpon	}	105 : 00 : 00
her petition for the nessesary apparrelling of her		
children, and for thaire maintainance three yeares		
of fiue of them in diett and clothing, 5 <sup>h</sup> a yeare, a		
head, all being . . . . .		
Remaines . . . . .	<hr/>	
	715 : 07 : 06	

\*Know all men by these p<sup>r</sup>sents that I, Thomas Tupper, the elder, of Sandwich, in the collonie of New Plymouth, doe for mee, my executors, administrators, and assignes, for ener acquitt and release Edmond Freeman, the elder, of Sandwich, of all manor of accountps, specialities, and demaunds, from the begi<sup>n</sup>ing of the world to this p<sup>r</sup>sent day.

[\*86.]

Dated the 22<sup>nd</sup> of October, 1656.

THOMAS TUPPER.

Witnes, Richard Bourne,  
William Browne.

Wee, whose names are heervnto subscribed, being by Henery Chettenden, the constable of Scittuate, impannelled on a coroners inquest the second day of August, 1673, to make enquiry how Experience Leichfeild came to his suddaine and vntimely death, haucing viewed the corpes and examined the witnesses, and seriously considered many concurring cercomstances, doe declare

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that wee doe clearly apprehend, that Experience Leichfeild, the first of August, 1673, being a loading a boate att Rodolphus Elmes his landing place att Hoophole Necke, in Scittuate, and haueing a waighty peece of timber on his shoulders to carry aboard the boate, goeing on vpon a muddy and slippery planke, his feet flying vpp, and hee falling with his head, and the logg falling on his eare and necke, soe that betwixt the logg and the planke, hee receiued soe mortall a wound in his hed, which wee apprehend was the cause and meanes of his death, whoe died att his father in lawes house the same day, about evening shuting in; and this wee can attest vnto, being therunto called.

JAMES CUDWORTH,  
THOMAS HATCH,  
MICAELL PEIRCE,  
STEUEN VINALL,  
TIMOTHY WHITE,  
THOMAS WADE,  
JOHN ENSIGNE,  
JOSEPH WHITE,  
WILLAM HATCH,  
MATHEW GANETT,  
EDWARD JENKENS,  
SAMUELL JACKSON.

Wee, whose names are vnderwritten, being on a jury to inquire how a woman, supposed to be the daughter of Thomas Phelps, of Yarmouth, come by her death, doe judge her to be drowned in a boate wracke, wherin shee was found dead December the sixt, 1673.

WILLAM PAYBODY,  
BENJAMINE BARTLETT,  
JOSIAS STANDISH,  
JOHN ROGERS, Seni<sup>r</sup>,  
JOHN TRACYE,  
STEUEN MERRICKE,  
JOHN WADSWORTH,  
PETER WEST,  
JABEZ HOWLAND,  
NATHANIEL BREWSTER,  
WILLAM BREWSTER,  
GORGE PARTRICH.



Wee, whose names are vnderwritten, being impannelled on a corrowners inquest, to view a corpes found in a boate now racked, and being supposed to be the wife of Richard Tayler, soñitimes of Yarmouth, and to make dilligent serch how the said woman came by her death, doe judge, that the boate being cast away, the woman was drowned in the boate.

Duxburrow, the fourth of December, 1673.

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WILLAM PAYBODY,  
ALEXANDER STANDISII,  
JOSIAS STANDISII,  
JOHN SPRAGUE,  
GORGE PARTRIDG,  
WILLAM BREWSTER,  
NATHANI: BREWSTER,  
SAMUELL HALL,  
EDWARD SOUTHWORTH,  
BENJAMINE BARTLETT,  
JOHN WADSWORTH,  
SAMUELL SABERRY.

*\*Att the Court of his Ma<sup>tie</sup> holden att Plymouth, for the Jurisdiction  
of New Plymouth, the 4<sup>th</sup> of July, 1673.*

4 July.  
[\*87.]

BEFOR Josias Winslow, Esq <sup>r</sup> , Gou <sup>r</sup> ,	Nathaniel Bacon,
John Aldin,	John Freeman,
William Bradford,	Constant Southworth, and
Thomas Hinckley,	James Browne,
Assistants, &c.	

**T**HIS Court authorised M<sup>r</sup> Browne and Leiftenant Hunt to order the estate of Richard Bullocke, and to settle what may be of the said <sup>^</sup> on his children, and to make report of their actings therein to the next Court.

This Court haue ordered M<sup>r</sup> Hinckley to take an oath of Joannah Davis, widdow, att Barnstable, for the truth of the inuentory of the estate of Dolar Davis, deceased, which inuentory beares date the 19<sup>th</sup> of June, 1673.

These are to testify, that this present day being the third day of July,

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1673, Quachattacett, Nanumett, and Scippauge, three Indians, came into the Court, and owned that Noerast, allies James, another natiue, hath a reall right in a quarter pte, or one pte of foure of the Old Feild att Mannomett, soe called.

This Court doth allow the sume of ten pounds towards the building of a sufficient cart bridge ouer the North Riner.

Order is giuen by this Court vnto the Treasurer, to make sale in the behalfe of the cuntry, of the house and farme our late honored Gou<sup>r</sup>, M<sup>r</sup> Prence, liued in, and in the mean time to improue it the best hee can, for the benefitt of the cuntry.

Leiftenant Howes, of Yarmouth, is allowed and authorised by the Court to be guardian to Marcey Hedge, the daughter of Cap<sup>t</sup> William Hedge, of Yarmouth aforesaid, deceased.

This Court haue voated Captaine James Cudworth, vpon his owne desire and the request of sundry others in his behalfe, to be reestablished into the right and priuledge of a freeman of this jurisdiction; and hee did openly declare before the Court that hee is and remains bound by the oath of a freeman, which hee formerly tooke, vnto all fealty and duty therein required vnto his ma<sup>tie</sup>, &c, and vnto this gou<sup>r</sup>ment.

The sume of fifty pounds is settled vpon our honored Gou<sup>r</sup>, Josias Winslow, Esq<sup>r</sup>, for his sallary or gratuity for his seruing in the office of Gou<sup>r</sup> for this p<sup>s</sup>ent yeare.

M<sup>r</sup> John Walley, of Boston, in the gou<sup>r</sup>ment of the Massachusetts, merchant, is appointed and heerby impowered by the Court adminnestrator on the estate of Nicholas Dauis, of Rhod Iland, deceased, which shalbe found within this collonie of New Plymouth, p<sup>s</sup>enting a true inuentory therof on oath to some one of the maiestrates of this jurisdiction att or before the 29<sup>th</sup> of this instant July, and to doe and pforme all such acte and actes according to law as may tend to the seizing, securing, or defending, or disposing of the said estate, or any pte or ptes therof, as the matter may require, soe farr as the estate will extend, and to giue a true account of his doings therein to the said Court from time to time, as shalbe required of him.

It was ordered by the Court, and they haue heerby settled a certaine house and land on the widdow, Mistris Sarah Dauis, the relict of M<sup>r</sup> Nicholas Dauis, of Rhode Iland, so<sup>m</sup>times of Barnstable, in the jurisdiction of New Plymouth, deceased, viz<sup>z</sup>, that house and land which is in the possession of James Haughton, of Barnstable aforesaid; the which said house and land, with all and singulare the appurtenances belonging thervnto, is assigned, allotted, and disposed vnto the said Sarah Dauis, widdow, as her pte of the estate of

the said Nicholas Daus, or the thirds, or one pte of three, of the estate of the said Daus in this collonie, soe as it amount to noe more, on a due vauuation, then her thirds therof, and haue requested and appointed M<sup>r</sup> John Walley to enter vpon possession therof in her behalfe.

\*John Daus is allowed and approved by the Court to be executor to the estate of Dolar Daus, deceased.

This Court doe allow and order, that the inhabitants of Saconessett shall haue one grandjuriman; and wheras it is apparrant that they are much wronged by horses of other paces goeing on theirre coõions, it is ordered by the Court, that all such horse kind as shall or doe vpon theirre coõions shalbe rated twelue pence a peece annually, to be improued for and towards the support of him that teacheth Gods word amongst them; and that such horses or horse kind as are or shalbe rated to them shall not be rated for in any other place.

The Court doe order, that the excise due to the country from James Cole be abated from eight pound to five pound.

Att this Court Wilłam Earle, of Dartmouth, appeered, and p̄sented a writing which *which* was by some tearmed a will, viz<sup>d</sup>, the will of Thomas Cornwell, of Rhode Iland, late deceased; in which said supposed will there is therein mensioned and expressed the disposal of some pte of the estate of the said Cornwell in our collonie; the Court, not scing reason att p̄sent to accept therof as a legall will, doe respectt it vntill the next Court to be holden for his ma<sup>tie</sup> att Plymouth in October next, and in the mean time that notice be giuen that if any of the relations of the said Cornwell will come in and can make and produce a just barr vnto further procedor in reference thervnto, they shalbe heard; and that for the interem, the said Wilłam Earle and John Cornwell, brother to the said Cornwell, shall take care of the said estate, that it be not squandered, made away, and imbezeled, and likewise to produce a true inventory therof to the said Court.

Captaine James Cudworth is authorised by the Court to solemnise marriage, and to graunt subpenas for witnesses, and to adminnester oathes vnto witnesses for the tryall of a cause as occation may require, in the towne of Scittuate for this p̄sent yeare.

Wheras there is a tracte of land graunted to the old servants, or such of them as are not elsewhere supplied, lying att Saconett, the Court doe determine the bounds therof to be from the bounds of the graunt made to Plymouth att Puncateesett and the bounds of Dartmouth, and soe all lands southerly lying between that and the sea; the Court haue likewise giuen them order, or such as they shall appoint, to make purchase therof in theirre behalfe as occation shall

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[\*88.]

See more of  
this 2 pages  
forward in this  
booke.

And likewise  
to adminnester  
an oath to any  
evidence to be  
giuen to the  
grand enquest.

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require, and that all such psons as haue right vnto the said graunt as old ser-  
vants att Saconett shall make their appeerance att Plymouth on the twenty  
second of this p̄sent July, then and their to make out their right, and alsoe  
pay such disbursments as shall nessesarily be required, or otherwise loose  
their right.

Wheras the Court, in June, 1673, did order diuers men to goe and sett  
out the bounds on the southsyde of those lands formerly graunted vnto the  
inhabitants of Plymouth att Punckateesett, wee, whose names are vnderwrit-  
ten, haue accordingly done the same, and haue bounded it as followeth, viz<sup>o</sup> :  
by the riuer that runs out of Punckateesett Pond into the sea, and alsoe by  
the said pond till it comes west with a smale pyne tree marked on foursydes stand-  
ing about twenty rodd from the pond, and soe easterly to a smale red oake  
sapling standing a little ouer the first hill, and soe with a right line accordingly  
easterly vntill it extends eight miles into the woods, or meets with Coaksett  
bounds.

JOHN ROGERS,  
BENJAMINE CHURCH,  
DANIELL WILCOCKES,  
CONSTANT SOUTHWORTH,  
WILLAM PAYBODY,  
EDWARD GRAY.

Libertie is graunted vnto Benjamine Church to purchase a certaine p̄sell  
of land and swamp of Tuspaquine, the blacke sachem, and Willam, his son,  
for the inhabitants and propriators of the towne of Middleberry, and that  
the said inhabitants and propriators shall haue liberty vntill the last of  
Nouember next to make payment to him or his order of what hee shall  
disburse for the said land for the purchase therof; and incase they shall  
neglect to make payment therof by the time prefixed, that then the said  
land is to be his.

[\*89.]

\*The Court haue voated M<sup>r</sup> Isacke Robinson to be reestablished in the  
privilidge off a freeman of this corporation.

Att this Court, information was giuen and complaint made to the Court  
by Isacke Chettenden against Humphrey Johnson, of Hingham, in the goũ-  
ment of the Massachusetts, for that the said Johnson hath, contrary to order  
of Court, cutt downe or plucked vp a stake sett as a bound marke of land layed  
out by the coĩmittee of Scittuate to the said informer att or by a swamp neare  
the land of Thomas Hiland, Sen<sup>r</sup>.

This case was tried by a jury of twelue men, whose verdict on the case is as followeth : —

Wee find for our soū lord the Kinge. Humphery Johnson haueing broken a law of this goūment in cutting downe a stake that was sett vp as a land marke, which law is in the Booke of Lawes, chapṛ the third, number the twenty one, —

Vpon consideration of the boldnes and insolency of the said Johnson coming into this goūment, whoe is one of another goūment, to doe this acte, and his pragmatte management of the same, the Court saw cause, for this facte soe cercomstanced, to amerce him in the suūe of fīue pounds, to be payed as a fine by him to the vse of the collonie.

Att this Court, complaint was made by Isacke Chettenden, of Scittuate, that Joseph Turner, Seniṛ, Thomas Turner, Daniell Turner, Jeremiah Hatch, Wīllam Hatch, Thomas Hatch, Charles Stockbridge, John Merrett, Joseph Woodward, Thomas Woodward, Wīllam Randall, and Richard Dwelley assembled together on the 14<sup>th</sup> day of May last, and did, contrary to law and in a roietus way, throw downe a fence or great p̄sell of fence of the abouesaid Chettendens, by him sett vp on land layed out to him by such as were by the authoritie of this goūment thervnto impowered.

The said psons being summoned to appeer att this Court to answare the said, and their defence being fully heard, it appeered euidently to the Court that their said acte was done in a roietus way in regard of their number, yett conceiuing that their intent was to com̄it a treaspas onely, to bring the case to a tryall, doe therefore onely amerce them to pay a fīue shillings a peece to the vse of the collonie:

Wheras it doth appeer to this Court by diuers testimonies that Sarah, the wife of John Williams, of Barnstable, hath violated her marriage bond by com̄itting actuall adultery with another man, and hath a child by him, this Court therefore sees cause and doe heerby declare, that the said John Williams is legally cleare from his couenant of marriage formerly plighted and made with the said Sarah, his late wife, and doe heerby free him from those duties relateing thervnto, and that the said Sarah hath by her breach of wedlocke cutt off her selfe from any right henceforth to the pson or estate of the said John Williams, her late husband, and doe heerby likewise allow him libertie further to dispose of himselfe in marriage if hee shall see cause for the future soe to doe.

In reference vnto a former graunt made vnto M<sup>r</sup> John Howland, deceased, M<sup>r</sup> John Chipman, Jonathan Sparrow, and John Rogers, Seniṛ, of Duxburrow, of some accomōdation of lands in the land purchased by Captaine Willett, lying on the northeastsyde of the bounds of Taunton, between Taun-

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ton and Teticott, this Court doth settle vnto John Howland aforesaid, deceased, viz<sup>d</sup>, to his heires, and vnto John Chipman, John Rogers, and Jonathan Sparrow, vnto and vpon each and euery of them, one hundred acres of the aforesaid land, if it bee yett to be obtained; if not, in some other place which they can find in this jurisdiction fitt for their accomodation.

[\*90.]

\*Att this Court, Samuell Packer, Seni<sup>r</sup>, is freed from paying the fine amerced on him by the Court for selling liquor to the Indians, which is twenty shillings.

Nicholas White, of Taunton, standeth bound vnto the }<sup>ii</sup>  
Court in the penall sūme of . . . . . } 20 : 00 : 00

The condition, that if the said Nicholas White doe appeer att the Court of his ma<sup>tie</sup> to be holden att Plymouth the last Tusday in October next, to make further answare to the accusation of Jaell Smith, and not depart the said Court without lycence; that then, &c.

Att this Court, libertie was graunted vnto the said White to haue his case tryed by a jury of twelue men, if hee shall see cause.

Memorand: that the said Jaell Smith be summoned to answare in the case.

In reference to the petition from Saconesett, it is ordered by the Court, that they be allowed to haue one grandjrymen.

And wheras they are much oppressed with many horse kind rūing there and being in a low condition, it is therefore ordered by the Court, for their better abillitie to incurrage the preaching of the word of God amongst them, that all such horse kind as comonly or vsually run in the sūmer time vpon their lands or comons, except colts, shalbe assesed one shilling p head, to be payed by euery owner of such horse kind for the end aforesaid, and that euery such owner shalbe freed from paying rates in the township where they liue to such horse kind as aforesaid.

June the 7<sup>th</sup>, 1665. The Court haue graunted vnto Sachariah Eeedy a smale gussett of land lying betwixt his land and the brooke from his house below the path to Namassakett vnto the aforesaid brooke vnto a bridge or way neare vnto Wilłam Nelsons house; the said psell of land soe bounded as aforesaid is graunted vnto the said Sachariah Eeedy, to him and his heires and assignes for euer, with all the appurtenances belonging thervnto, on condition that the said Sachariah Eeedy doe continew a bridge neare his house, in the place where it is needed, for horse and cart, for the vse of the country, for the full tearme of twenty yeares from the date hecrof.

In reference vnto the lands formerly graunted vnto Sachariah Eeedy, the Court haue ordered, that Serjeant Tinkham and Henery Wood shall lay out the land; and concerning the way that he is to make in leiw therof, to see

that it be in such place as may be most convenient for the countrey and least prejudiciall to him.

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June the 5<sup>th</sup>, 1666. The smale gussett of land graunted vnto Sachariah Edey betwixt his land and the brooke att Namassakett, by the Court, June the 7<sup>th</sup>, 1665, is bounded with a blacke oake tree on the southsyde of the old path and a maple tree about his house att a bridge.

June the sixt, 1668.

HENERY WOOD,  
EPIHRAIM TINKHAM, his **E T** marke.

Plymouth, March the 20<sup>th</sup>, 1667. By order from the honored Court of this collonie, haue measured vnto Thomas Saury and Benjamine Eaton sixty aerees of vpland in the land called the Majors Purchase, near Namassakett, which land, att the eastward end therof, joyneeth vnto the land of Sacariah Edey, bounded att the said end and northeren syde with a red oake att the old path; and on the westward end on the said syde it is bounded with a red oake neare the swamp; on the southward and eastward end it is bounded with three rockes on the southsyde of the brooke; and on the westward end on the said syde of the land and brooke it is bounded with a smale longe rocke, that hath a smaller flatt rocke on the northwest end of the said rocke.

WILLIAM CROW,  
WILLIAM NELSON.

\*Wee, whose names are vnderwritten, being employed, the twenty sixt day of March, in the yeare one thousand six hundred seauenty two, to measure a tract of land graunted by the honored Court of the collonie aforesaid vnto M<sup>r</sup> Timothy Hatherley, containing three mile square lying on the southsyde of the pattent line, and is to begin on the southsyde of Accord Pond, and from thence to extend southward and westward, haue therefore on the southsyde of the aforesaid Accord Pond vpon the hill marked a smale red oake tree for the northeast corner bounds of the said lands, and from the said tree wee extended our line three miles south neareth vnto a swamp or pond; secondly, from the said red oake the line extends west and by south nearest to a stake standing on the pattent line, which stake is the northwest corner bounds of the said land, from which stake the line extends south nearest three miles to a smale as-pe tree marked in a swamp for the southwest corner bounds of the said land, and from the said aspe tree the line extends east and by north nearest till it crosseth the line run on the eastsyde from the aforesaid smale red

[\*91.]

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oake tree marked att Accord Pond, which line ends in a pond or swamp where the said lines on the southsyde and east side meet in the said pond or swamp, there to be the bounds of the southeast corner of the southeast corner of the said three miles.

WILĒAM PAYBODY,  
WILĒAM CROW.

The Court, haueing ordered the lands aboue entered to be layed out by the pties aboue named, haue since viewed the aboue written returne, and doe heerby approue, rattify, and confeirm the lines and bounds abouewritten; and for the rattification therof haue ordered them to be heer recorded as aboue written.

The Court allowes and approues of M<sup>r</sup> John Browne to be leiftenant of the milletary companie of Swansey, and of Thomas Easterbrooke to be ensigne of the said companie.

Att this Court, WilĒam James and his wife were fined the sūme of ten pounds for cōmitting carnall coppulation with each other before marriage or contract.

The Court haue ordered, that the same easteren line aboue mensioned, that passeth through the land of John Jacob, shalbe the line of the land of Cornett Robert Studson, as it is now run, viz<sup>d</sup>, of the land graunted to him by the countrey.

29 October.  
[\*92.]

*\*.Att the Court of his Ma<sup>tie</sup> held att Plymouth, the twenty ninth Day of October, 1673.*

BEFORE Josiah Winslow, Esq <sup>r</sup> , Go <sup>v</sup> ,	John Freeman,
John Alden,	Constant Southworth, and
WilĒam Bradford,	James Browne,
Thomas Hinckley,	
Assistants, &c.	

WEE, whose names are heer vnderwritten, being impannelled on a jury by Henry Chettenden, constable of Scittuate, the 11<sup>th</sup> day of September, 1673, to view the corpes of a child coming to an vntimely end, in Scittuate, att the house of Edward Jenkins, being the son of Samuell Jenkins, being two yeare old and vpward, wee doe agree and conclude, by what



information wee can obtain, and viewing the child, and not finding any stabbs or wounds about the child, that the water in the well of Edward Jenkens was the cause of the death of the child, going to the well and falling in therto, was there drowned.

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ISACKE CHIETTENDEN,  
JOHN ALLIN,  
RICHARD CURTICE,  
JOHN MERRITT,  
JOSEPH WHITE,  
TIMOTHY WHITE,  
ROBERT WHETCOMBE,  
STEUEN VINALL,  
JOSEPH COLEMAN,  
THOMAS HIELAND,  
SAMUELL JACKSON,  
SAMUELL HOUSE.

Att this Court, John Hoar, of Concord, owned before the Court that hee had receivede five pound of M<sup>r</sup> Attkinson on account of Captaine Cudworth, and three pounds of siluer mony of New England, and nine pound and ten shillings of M<sup>r</sup> Lynd.

Libertie is graunted by the Court vnto the inhabitants of Saconesett to make choise of a clarke, and to record such lands as they doe possesse as occasion may require, and to record likewise such other orders as they may make conducing to the welfare of their neighbourhood.

M<sup>r</sup> Richard Bourne was appointed by the Court to make a deed betwixt the Indians and himselfe in reference to the land att Mannomett, viz<sup>s</sup>, the feild there, and that it bee expressed therein what hee is to giue for the said feild, that is to say, for the vse of the erbage therof.

In reference vnto such p<sup>te</sup> of the estate of Thomas Cornwall, late of Portsmouth, on Rhode Iland, deceased, as is in this collonie, this Court hath ordered, that the one halfe of it be disposed to the widdow of the said Cornwall and the three children hee had by her, and the other halfe vnto the four eldest children of the said Cornwall, which being foure sones, the Court proposeth that they may haue their p<sup>te</sup> out of the said estate which consisteth in lands; and wheras the said widdow, Sarah Cornwall, hath a right in the said lands during her life, if incase shee shall see cause to require her interest therein, that then soe much be deducted out of the psonall estate of the said Cornwall which is in our collonie, and that shee returne her mind about it by the last day of this instant Nouember, 1673. And that Wilfam Earle, Dan-

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icell Wilcookes, and John Cornwell be graunted letters of adminmestration to adminmester on they said estate, they giuing in occuritie to the Court for there said adminmestration.

The Inuenty of the Estate of Thomas Cornwell, of Portsmonth, on Rhod Island, in N<sup>e</sup>, soe much of it as is extant in our Collonie, exhibited to the Court held att Plymouth the 29<sup>th</sup> of October, 1673, on the Oath of William Earle, of Dartmouth, in the Collonie of Plymouth aforesaid.

	l	s	d
Item, 8 mares, . . . . .	09	00	00
Item, 4 gildings, . . . . .	08	00	00
Item, 2 twoyear olds, . . . . .	02	00	00
Item, 3 colts, . . . . .	00	15	00
Item, neat cattle, 3 heiffers, . . . . .	6	00	00
Item, 4 steers, one heifer, . . . . .	6	05	00
Item, 5 yearling steers, . . . . .	3	15	00
Item, by house and land, . . . . .	41	00	00
Item, one gun, and one paire of old wheels, and one sythe & nibbs, . . . . .	01	00	00
Item, 2 wedges and one paire of bandeleers, . . . . .	00	04	06
Item, eight and twenty shillings and six pence to be deducted out of the aforesaid inventory, which was expended in answaring countrey charges. }			

This is a true inventory, with the apprisment therof by vs,

JOSIAH ENGLAND, his marke.  
JOHN RUSSELL.

Libertie of adminmestration is graunted vnto John Curtice to adminmester on the estate of Richarden Chambers, deceased.

Letters of adminmestration was graunted to Josias Leichfeild to adminmester on the estate of Experience Leichfeild, deceased.

Letters of adminmestration is graunted to Elizabeth Cook to adminmester on the estate of Josias Cook, deceased.

[\*93.]

\*Wheras there hath bin a former graunt vnto John Tompson, and Joseph Laythorp, and Barnabas Laythorp, to looke out for land, which might be purchased of the Indians, that might be convenient for them, and haueing an order to purchase lands between Assowamsett Pond and Dartmouth bounds bearing date the 28<sup>th</sup> of July, 1673, which accordingly they haue don, the towne of Middleberry laying claime to a great pte therof, this Court orders,

that if Middleberry men recouer the lands thuse purchased, the abouementioned psons shall haue libertie to purchase lands elsewhere.

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WINSLOW,  
Gou<sup>r</sup>.

In reference to the complaint of Edward and John Rickard against Thomas Dotey and his companie or boats crew, in reference vnto their running their boate against the said Grayes boate, the Court orders, that the said Dotey and his said companie shall pay the sume of twenty and five shillings towards the losse of an anchor and pte of a road which was lost by the said boates running one against another, which sume is to be payed to the said Gray and Rickard, vnto whom the said anker and road belonged, and wheras the said m<sup>r</sup> of the boate was much to blame respecting the pmisses, it is ordered by the Court, that hee shall beare a dubble share of the said award, and that the wittnesses that wittnesed in the case be allowed seauen shillings.

Wheras it was ordered by the Court held att New Plymouth in October, 1673, that the estate of Thomas Cornwell, late of Portsmouth, on Rhode Iland, deceased, should be equally devided, the one halfe to Sarah, the widdow of the said Cornwell, and his three children by her, and the other halfe to the said Cornwells foure soñes by his former wife; and the said Court did further advise, that the widdow and her children should take their ptes in the psonall estate, and the soñes to haue the lands; it is therfore vnderstood, that if the said widdow doe not accept of that distribution made by the Court, but doth still desire to haue her thirds in the lands, shee may and shall haue the third pte of the rents and proffitts of the said lands during her life according to our lawes, and noe otherwise, and that for the same shee make a proportionable allowance to the soñes out of the stocke or psonall estate.

And wheras administration on the said estate was graunted vnto Wilham Earle, Daniell Willecockes, and John Cornwell, provided they gaue securitie to the Court in that behalfe, inasmuch as the season of the year requires that the estate should be looked after, and the said Wilham Earle seemeth to be vnresolued whether to accept of administration or nott, or att least appeers not to giue securitie as the other, wee order, that full power of administration be graunted to the said Willecockes and John Cornwell to acte therin without Wilham Earle, vnlesse hee shall within one weeke after knowledge heerof repaire to the secretary, and declare his acceptance, and giue securitie respecting the pmisses.

November 28, (73.)

JOSIAH WINSLOW, Gou<sup>r</sup>,  
JOHN ALDEN, Assistant,  
WILLIAM BRADFORD,  
CONSTANT SOUTHWORTH.

1673.

29 October.

WINSLOW,  
Gov<sup>r</sup>.

Ires of adminnestration is graunted vnto Mistris Hannah Bacon to ad-  
minnester on the estate of M<sup>r</sup> Nathaniel Bacon, deceased.

Letters of adminnestration are graunted by the Court to Ephraim Tilson  
to adminester on the estate of John Tilson, deceased.

[\*94.]

\*Sept<sup>r</sup> the 15<sup>th</sup>. This Court, haueing considered the information giuen  
concerning the Duch theire actings att New Yorke and places adjacent, doe  
judge it a duty incombent on vs to take care in the best way wee can for the  
preseruatiō of his ma<sup>ties</sup> interest and our owne in these collonies; but duely  
considering all cercomstances attending that affaīre, doe not as yett see satis-  
factory grounds to attempt a warr vpon them, without expresse cōmaund from  
his ma<sup>tie</sup> or the nessesarie defence and preseruatiō of these collonies from  
theire inuatiō, or injuries don to any of the members therof, in which case  
happening this Court orders, that the Gov<sup>r</sup> or Deputie Gov<sup>r</sup>, &c, haueing intel-  
ligence therof, doe summons this Generall Court to conveine about it, and  
mean while adjourne vntill such cause of appearence.

And for the more speedy releafe of any of our confederates that may  
be assaulted by an enemie, it is ordered, that the Gov<sup>r</sup> and councell of warr be  
impowered and betrusted to mannage that affaīre according to the articles of  
confederation in such case provided.

It is ordered, that the Gov<sup>r</sup>, M<sup>r</sup> Hinckley, and the Treasurer be a cōmittee  
to reueiw and collect into one vollum all such orders and lawes as are in our  
written bookes yett in vse for vs.

It is ordered, that the troop of horse allowed by the Court shalbe sixty,  
whoe shall haue horse pistols, and each of them a carbine, with other acculer-  
ments fitt for seruice; and for the better raising therof, it shalbe propounded  
to each towne meeting to see whoe will vouelentarily tender theire seruice  
therin; and the names of such voulenteers shalbe returned to the October  
Court, whoe are impowered to accept the numbers of each towne respectiue  
as they shall see cause.

It is alsoe ordered, for the releife of such townes as are in destresse by  
the assault of an enemie, that the cheife milletary officer or officers in the  
next towne, with the advise of theire councell, or soe many of them as may  
be had, shall haue power to send such a number of souldiers, with a cōmaun-  
der, as by them shalbe judged nessesarie for the p<sup>r</sup>sent releife of the distressed,  
and to presse horses for theire better expedition if they shall see cause.

15 September.

These aboue written conclusions were made and concluded on the 15<sup>th</sup>  
of Septem<sup>r</sup>, 1673, att the Court of Majestrates and Deputies held att Ply<sup>ñ</sup>  
aforsaid, before Josias Winslow, Esq<sup>r</sup>, Gov<sup>r</sup>, John Aldin, Wiltam Bradford,  
Thomas Hinckley, John Freeman, Nathaniel Bacon, Constant Southworth,  
and James Browne, Assistants.

The Names of the Deputies that served at this Court.

Leifft Ephraim Morton,	Ensigne Thomas Howes,
Serjē Wilkam Harlow,	John Thacher,
M <sup>r</sup> Josias Standish,	Leifft Laythorp,
Wilkam Paybody,	John Thompson,
Cornett Robert Studson,	Leifft White,
Isacke Chettenden,	Anthony Snow,
M <sup>r</sup> Edmond Freeman, Jun <sup>r</sup> ,	Daniell Cole,
Wilkam Swift,	Jonathan Sparrow,
Wilkam Harvey,	John Willis,
Leifft Gorge Macey,	John Cooke,
Leifft Peter Hunt,	Nathaniel Pecke,
Ensigne Henery Smith,	Jonathan Dunhan.

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15 September.  
WINSLOW,  
Gov<sup>r</sup>.

*\*At the Generall Court called together vpon extreordinary Occation, 17 December. and holden att Plymouth, the 17<sup>th</sup> Day of December, 1673. [\*95.]*

BEFORE Josiah Winslow, Esq<sup>r</sup>, Gov<sup>r</sup>, and John Freeman,  
Wilkam Bradford, Constant Southworth, and  
Thomas Hinckley, James Browne,  
Assistants, &c.

**T**HIS Court, vpon serious consideration of the injurious actings of the Duch, our neighbours, att New Yorke, in the surprissall of seuerall vessells and goods of our confederats, and refusing to make just satisfaction for the same vpon demaund; being alsoe informed of their threats to invade his ma<sup>ties</sup> subjects on Longe Iland, and other p<sup>tes</sup> of this cōuntry, and that they still continew their men of war abroad, to the great prejudice of this country in respect of their trade, and to the disturbance of our peace otherwise; minding alsoe that they haue declared these their actings to be grounded on the nationall quarrell between them and vs in Europe, and accordingly declare their cōmission and orders to be, to doe all possible spoile and damage to the states enimies, by land and water; and soe haucing reason to expect that as their numbers and strength may increase, their insolences towards vs will alsoe grow higher, — for our more nessesarie defence wee judge it requisite

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WINSLOW,  
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to indeauor their remouall, and haue resolved that there is just ground of a warr against them, and although the season of the yeare is in some respects discouraging, yett haueing reason to thinke that our enimies will haue recruta of men, &c, early in the springe, wee iudge it best with all possible speed to proceute the said expedition, and shall indeauor to goe our ptes therein, altho not according to what wee are proportioned by our confederates, wherin wee are apparently ouer rated, yett to the vtermost of our abillities, viz<sup>d</sup>, to raise and maintaine one hundred men in the expedition, if wee can att p<sup>r</sup>sent be supplied with what is nessesarie for their march or voyage.

And that instructions be giuen to the comāunders in cheife, first to suū-ions them to yeild, with their promise of injoying their estates and liberties.

The names of the comāunders chosen by the Court were, —

Captaine James Cudworth . . . . .	for Captaine.
M <sup>r</sup> John Gorun . . . . .	for Leiftenant.
M <sup>r</sup> Micaell Peirse . . . . .	for Ensigue.

For Sarjeants.

Wiltam Witherell,	John Witherell,
Thomas Harvey,	Phillip Leanard.

Captaine Mathew Fuller was chosen the surjeañ generall for this expedition, if, on the motion of it to the Court of the Massachusetts, &c, it be ap-  
proved by them.

The souldiers wages agreed by the Court was, —

	s      d
To a private souldier, . . . . .	2 : 00 p day.
To a druūer, . . . . .	2 : 06 p day.
To a serjeant, . . . . .	03 : 00 p day.
To an ensigne, . . . . .	04 : 00 p day.
To a leiftenant, . . . . .	05 : 00 p day.
To a captaine, . . . . .	06 : 00 p day.

The Gov<sup>r</sup> bestowes a drum towards the expedition, and the other to be had att Taunton, one paire of cullers, to be had att Swansey, the other from √ .

Four halberts :	Serjeant Tompson, . . . . .	one.
	From Scittuate, . . . . .	one.
	Captaine Willett, . . . . .	one.
	Leiftenant Hunt, . . . . .	one.

The Treasurer is impowered by the Court to procure prouision for the expedition, in case it goes on, vpon credit, for country pay, to be payed the next fall, on the best tearmes hee can; and what hee engageth in the countreyes behalfe, that it be faithfully defrayed, both for speene and time; as likewise hee is heerby impowered to presse and indent for such barques and other vessells, and other vtensells, as shalbe found requisitt for the said expedition.

And for other matters relating to this interprise, they are referred to the councell of warr.

This Court is not finally dismissed, but adjourned vntill a new occasion presents for their meeting.

1673.  
 17 December.  
 WINSLOW,  
 Gou<sup>r</sup>.

*\*.At the Court of his Ma<sup>tie</sup> holden att Plymouth the 4<sup>th</sup> of March, Anno Do<sup>ni</sup> 1673.*

1673-4.  
 4 March.  
 [\*96.]

BEFORE Josias Winslow, Esq<sup>r</sup>, Gou<sup>r</sup>,                      John Freeman,  
                   John Aldin,    Constant Southworth, and  
                   William Bradford,                                  James Browne,  
                   Thomas Hinckley.

Assistants, &c.

**M**<sup>R</sup> THOMAS HINCKLEY, M<sup>r</sup> Thomas Walley, William Crocker, John Tompson, and Thomas Huckens are appointed by the Court to settle the estate of M<sup>r</sup> Nath Bacon, deceased, amongst Mistris Hannah Bacon and her children, which settlement vnder their hands, or any three of their hands, shalbe accounted valed against all claimes or contentions att any time arising about the aforesaid estate, or any p<sup>te</sup> thereof.

M<sup>r</sup> John Gorum and M<sup>r</sup> John Thacher are joyned with John Tayler for the disposing of the estate of Richard Tayler to his children, and for the paying and receiuing of debts, according to order of Court.

Concerning the estate of Richard Tayler, late of Yarmouth, deceased, this Court doth order, first, that the eldest son of the said Tayler shall haue his fathers housing, and two thirds of the land, both vpland and marsh, and the rest of his portion out of what of the estate M<sup>r</sup> Gorum and M<sup>r</sup> John Thacher shall judge most suitable for him, hee being by order of Court to haue a dubble portion.

2<sup>d</sup>ly, it is ordered, that the hay, and what prouisions was or is vpon

1673-4. the innoce of the estate that is now spent, or shalbe judged convenient for the family to spend betwixt this and the first of the next Aug<sup>st</sup>, shall not be accounted to the estate, as likewise what woole and flaxe hath bin spon by the daughters sence their parents death shalbe accounted theirs that spon it.

4 March.  
WINSLOW,  
Gov<sup>r</sup>.

The rest of the estate to be devided betwixt the second son and the five daughters, every one an equal proportion, to be sett out to them as may be most suitable for them, by the discretion of their eldest brother, and M<sup>r</sup> John Gorum, and M<sup>r</sup> John Thacher.

The second son to have the other third of his fathers land, besides his portion equall to his sisters.

Lastly, that nothing that hath bin already given or bestowed by the said Tayler on any of his children, shall not be considered in the deision, but every one to have an equal proportion, after the payment of debts due from the estate.

The Court have ordered, that any creditors vnto the estate of Edward Williams that shall appeer and lay claime to any p<sup>te</sup> hereof betwixt this date and the Court of his ma<sup>tie</sup> to be held in July next, shall come in and may be heard, or otherwise to be barred from any further demaund therevnto.

John Smith, of Dartmouth, is approued to be the lieftenant of the millitary companie of Dartmouth, and Jacob Michell to be ensigne bearer of the said companie.

The Treasurer and Serjeant Tompson are appointed by the Court to make purchase of such lands in the township of Middleberry as the Indians doe or may tender to sell, which may be by them purchased for the vse of the towne, and the propriators of the land in that township, and for the payment of such debts as the Indians owe to any as occasion may require, and what lands they purchase; the pay for it to be defrayed by the towne and propriators aforesaid, for the securitie of them the said M<sup>r</sup> Constant Southworth and Serjeant Tompson, and incase the said purchasers and propriators doe not make payment of the charge of the purchase within one yeare after the said purchase is made, that then it shalbe in the libertie of the said Treasurer and serjeant to make sale of soe much of the said land as will defray the charge therof.

l\*97.

\*Wheras Roger Annadowne, of Rehoboth, late deceased, died intestate, for the more equal desposing of his estate, it is mutually concluded by and between Joanna Annadowne and John Coblech, of Swansey, in the behalfe of Ebenezer, the eldest son of the said Annadowne, and with the advice and consent of John Harrod, of Patucksett, in the jurisdiction of Providence Plantations, brother vnto the said widdow Annadowne, and with the consent



and approbation of the Court, that what remaines of the said estate shalbe disposed of and settled as followeth : —

1673-4.

4 March.  
WINSLOW,  
Gov<sup>r</sup>.

Viz<sup>o</sup>. Imp<sup>r</sup>, that twenty four acres of vpland and a peece of salt marsh belonging thervnto, lying att Wachamaucutt Necke, and fifty pounds commonage within the township of Rehoboth, and one acree of fresh meddow, lying att a place called the 40 acree meddow, shalbe and is settled and confirmed vnto and vpon the said Ebenezer Annadowne, to him and his heires and assignes for ever.

Alsoe, it is agreed and concluded by and between the p<sup>r</sup>ties aboue named, that one other acree of fresh meddow, lying att the aforesaid 40 acree meddow, be settled vnto and vpon Hannah Wheaton, the daughter of the said Roger Annadowne, wife vnto Jeremiah Wheaton, and likewise ten acres of vpland, lying att Wachamaucutt Necke.

Furthermore, that John Johnson shall haue a coate of the said Roger Annadownes, vallued att two and twenty shillings, and a horse, harnis and cart, vallued att eighteen shillings.

Finally, that the remainder of the whole estate, be it more or lesse, shall belonge and appertaine vnto the said widdow Annadowne, prouided, that att her decease, that the house, and land lying about the house, being twelue acres, more or lesse, and fifty pounds com<sup>o</sup>nage, and three or four acres of vpland lying att Deare Hill, shall appertaine vnto Phillip and Henry Annadowne, her children, in equall and alike proportions, and prouided, that shee pay all such due debts as are due and owing to any out of the said estate.

In reference vnto the estate of Experience Leichfeld, late deceased, the Court haue ordered, that his brother, Josias Leichfeld, shall haue his land, and that the remainder of the estate, the debts being payed, shalbe equally deuided between him and his two sisters, in equall and alike proportions.

In reference vnto some p<sup>r</sup>ticulars of the estate of John Gray, of Yarmouth, deceased, the Court haue ordered, that Samuell Sturgis doe forthwith take them into his constody, forasmuch as they are lyable to damage, and also to preserue them and improue them to the best advantage hee can, and that hee keep a faire accompt of his disposall therof, vtill a true inventory of the said estate be p<sup>r</sup>sented and proued, and libertie of administration be graunted of the whole estate.

Libertie is graunted by the Court vnto Timothy Williamson to keep an ordinary att Marshfeild, for the entertainment of strangers for lodging, victualing, and drawing and selling of beer.

Mary Bartlett, the wife of Robert Bartlett, came into this Court and owned that shee hath receined full satisfaction for whatsoever shee might

1673-4. claime as due from the estate of Mistris Elizabeth Warren, deceased; and John Cooke, in the behalfe of all her sisters, testified the same before the Court; and the Court doth heerby settle the remainder of the said estate on Joseph Warren, to bee by him injoyed without further molestation or disturbance from any of them.

4 March.  
WINSLOW,  
Goc<sup>r</sup>.

It is granted by the Court, that Richard Bourne, of Sandwich, shall have twelue thousand of alewiues yearly, belonging to that land confered on him att Pampaspeccitt.

This Court haue granted libertie vnto Benjamine Lumbert.

[\*98.] \*It is enacted by the Court, that M<sup>r</sup> Hineckley or M<sup>r</sup> Freeman be impowered to see that the Indian called Robin, of Mattachesett, be not disturbed by any in makinge claime to his land, vntill such can make such claime out to be just to satisfaction, viz<sup>t</sup>, in reference to that land which hee ought to haue in right off his wife, the daughter of Napeoietan.

Memorand: that the children of Henry Wood, deceased, be summoned to the next Court, in order to a disposing of the land of the said Henry Wood, soe as may conduce to the support of Abigaill Wood, widdow.

Memorand: that the Court giues libertie vnto the Secretary to record the deed of Humphery Johnson, altho not acknowledged before a majestrate, according to order; and this libertie of the Court to be entered on the record, att the foot of the deed.

Memorand: that Nathaniel Soule be summoned to the next Court, to answare an accusation of comitting adultery with an Indian woman.

In reference vnto the complaint of Daniell Steward, a Scotsman liueing att Barnstable, against Nathaniel Fitsrandall, that hee had crewelly beaten him, altho it can not be fully made out and proued, yett forasmuch as it doth appeer by diners concurrent cercomstances that the matter is too true, this Court doth order, that the said Fitsrandall shall pay or cause to be payed to the said Daniell Steward, towards his charge, hinderance, and expence of time, the sume of twenty shillings.

M<sup>r</sup> Joseph Tilden, admimistrator to the estate of M<sup>r</sup> Timothy Hatherley, deceased, and Mistris Elizabeth Tilden, the relict and executrix of the said Joseph Tilden, haueing fully discharged all debts and dues due and owing vnto any from the said estate, and more had, vpon proclamation made heerof before this Court, a quietus est granted vnto *granted vnto* her.

According to a graunt of the Court bearing date June, 1662, and by a Court order bearing date 1671, Leiftenant Peregrine White and John Nelson layed out one thousand acres of land, lying and being neare the Old Indian Way att Teticutt Riuer, about a mile westerly, where Namassakett Riuer runs

into Teticutt, and soe runs easterly, marked and numbered by the riuer syde, 1673-4.  
 ten lotts, of one hundred acres in a lott, running halfe a mile in length south-  
 erley, and one hundred lotts in breadth, as may appeer by a draught therof,  
 viz<sup>d</sup> :—

4 March.  
 WINSLOW  
 Gov<sup>r</sup>.

1. To M<sup>r</sup> John Aldin, Seni<sup>r</sup>, . . . . one hundred acres.
  2. To widdow Sarah Warren, . . . . one hundred acres.
  3. To Leiftenant Perrigrine White, . . . . one hundred acres.
  4. To M<sup>r</sup> Thomas Prence, . . . . one hundred acres.
  5. To Wilham Bassett, . . . . one hundred acres.
  6. To Major Winslow, . . . . one hundred acres.
  7. To Edward Gray, . . . . one hundred acres.
  8. To Guydo Bayley, . . . . one hundred acres.
  9. To M<sup>r</sup> Josias Winslow, Seni<sup>r</sup>, . . . . one hundred acres.
  10. To M<sup>r</sup> Kanelme Winslow, Seni<sup>r</sup>, . . . . one hundred acres.
- Totall . . . . . 1000 acres.

Wee, whose names are vnderwritten, being impannelled vpon a corrow-  
 ners inquest by the honored M<sup>r</sup> James Browne, Assistant, to sitt vpon the  
 corpps of Roger Annadowne, deceased, occasioned by some late striffe between  
 his wife and him, hearing all euidences, pondering all cercomstances, and  
 viewing the corpes, wee find noe wound nor bruise that might hasten his  
 death.

STEUEN PAINE, Seni<sup>r</sup>,  
 THOMAS COOPER,  
 HENERY SMITH,  
 WILEAM SABIN,  
 NICHOLAS PECKE,  
 THOMAS COOPER, Juni<sup>r</sup>,  
 ANTHONY PERREY,  
 SAMUELL CARPENTER,  
 JOHN PECKE,  
 JONAH PALMER,  
 JOHN MELLER, Seni<sup>r</sup>,  
 BENJAMINE SABIN.

¶11<sup>th</sup> Nouember, 1673. This verdict aboue written was giuen in vpon  
 oath before mee.

JAMES BROWNE,  
 Assistant.¶

1673-4.

4 March.  
WINSLOW,  
Gou<sup>r</sup>.

[\*99.]

\*In reference vnto Humphery Johnsons presentment, the Court amerces him in the penall sume of ten shillings for his breach of order in his coming into this gou<sup>r</sup>ment, to liue and inheritt in the towne of Scittuate, without the leaue and approbation of the Gou<sup>r</sup> and two of the Assistants, and doe further order him to remoue his dwelling and cottage erected within the said towne, within one month from the date heerof, or else order shalbe giuen for the pulling downe therof.

Wiltam Peakes acknowledgeth to owe vnto our sou<sup>r</sup> lord  
the Kinge the sume of . . . . . }<sup>u</sup> 20 : 00

The condition, that if the said Wiltam Peakes doe personally appeer att the Court of his ma<sup>tie</sup> to be holden att Plymouth the first Tusday in June next, to make further answare for his beating, abusing, and afrighting the wife of Josias Leichfeild, and in the interem that hee behaue himselfe peacably towards our sou<sup>r</sup> lord the Kinge, and all his leich people, and in speciall towards the wife of Josias Leichfeild aforesaid, and not depart the said Court without lycence; that then, &c.

Seuerall p<sup>s</sup>ells of Land Henery Wood, allies Attwood, of Middleberry, died possessed of.

- Imp<sup>r</sup>, sixteen acres of vpland and eight acres of meddow.
- Item, one hundred acres of vpland.
- Item, 40 acres of vpland.
- Item, 13 acres of land his house stands on.
- Item, twenty acres of land att Strawberry Hill.
- Item, 8 acres of meddow in Plymouth bounds.
- Item, the quarter p<sup>t</sup>e of the mill and the land being about it.

1674.

3 June.

[\*100.]

*\*Att the Court of Election holden for the Jurisdiction of New Plymouth att the Towne of Plymouth, on the third Day of June, Anno Do<sup>m</sup>i 1674.*

BEFORE Josiah Winslow, Esquire, Gou<sup>r</sup>, Thomas Hinckley,  
John Aldin, Constant Southworth, and  
Wiltam Bradford, James Browne,  
Assistants, &c.

**J**OSIAH WINSLOW, ESQ<sup>R</sup>, was chosen Gouverneur and sworne. And

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3 June.  
WINSLOW,  
Gov<sup>r</sup>.

John Alden,	}	were chosen Assistants, and sworne.
William Bradford,		
Thomas Hinckley,		
John Freeman,		
Constant Southworth,		
James Browne, and James Cudworth,		

Josiah Winslow, Esq<sup>r</sup>, Gov<sup>r</sup>, and  
M<sup>r</sup> Thomas Hinckley, } were chosen Commissioners.

And Captaine Bradford was the next in nomination.

M<sup>r</sup> Constant Southworth was chosen Treasurer, and sworne.

The names of the Ch elect Men in each towne are as followeth : —

Plym̄, . . . . .	{	Leift Morton, Serjeant Harlow, M <sup>r</sup> William Crow.
Duxbuř, . . . . .	{	M <sup>r</sup> Samuell Saberry, Benjañ Bartlett, William Paybody.
Scittū, . . . . .	{	Cornett Robert Studson, John Cushen, Isacke Chettenden.
Sand, . . . . .	{	James Skiffe, Senr, William Swift, M <sup>r</sup> Edmond Freeman.
Taunton, . . . . .	{	Walter Dean, Leiftenant Macye, Richard William, William Harvey, John Tisdall.
Yarmouth, . . . . .	{	M <sup>r</sup> Edmond Hawes, M <sup>r</sup> Edward Sturgis, Ensigne Howes, John Thacher, John Miller.

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WINSLOW,  
Gov<sup>r</sup>.

Barnast, . . . . .	{	Leiff Laythorp, Mr Tho Huckens, Mr John Gorum.
Marshfeild, . . . . .	{	Mr Josiah Winslow, Seni <sup>r</sup> , Anthony Snow, Nathaniel Thomas.
Rehoboth, . . . . .	{	Mr Steuen Paine, Seni <sup>r</sup> , Leiff Peter Hunt, Ensigne Henery Smith.
Bridg <sup>w</sup> , . . . . .	{	John Willis, Seni <sup>r</sup> , John Carrey, Leiftenant Haward.
Eastham, . . . . .	{	Daniel Cole, Nicholas Snow, Jonathan Banges, Marke Snow, Jonathan Sparrow.
Dartmouth, . . . . .	{	John Russell, James Shaw, Wiltam Palmer.
Middlebery, . . . . .	{	John Thompson, Jonathan Dunham, Francis Combe.
Swansey, . . . . .	{	Samuell Luther, Hugh Cole.

## The Names of the Deputies.

Leiff Morton,	Wiltam Crocker,
Mr Wiltam Clarke,	Ensigne Eames,
Mr Josias Standish,	Anthony Snow,
Wiltam Paybody,	Ensigne Smith,
Cornett Studson,	Daniell Smith,
Isacke Chettenden,	Jonathan Sparrow,
Mr Edmond Freeman, Juni <sup>r</sup> ,	Jonathan Banges,
Leiff Maeye,	John Willis,
John Tildall,	John Cooke,
Mr Edmond Hawes,	Hugh Cole,
Mr John Thacher,	John Tompson.
Thomas Huckens,	

\*The Grand Enquest.

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WINSLOW,  
Gov<sup>r</sup>.  
[\*101.]

sworne,	}	John Finney, Seni <sup>r</sup> ,	}	sworne,	John Ormsbey,
		James Walker,			Nathaniel Williams,
		John Rogers, Seni <sup>r</sup> ,			Benajah Pratt,
		Francis West,			Samuell Briggs,
		M <sup>r</sup> Nathaniel Willis,			Nathaniel Bacon,
		Esra Perrey,			Peter Hunt, Juni <sup>r</sup> ,
		Thomas Doged,			Samuell Freeman,
		Arther Hathaway,			Josias Snow,
		John Miller,			Thomas Cushman,
		Gedion Allin,			Joseph Ryder,
John Bryant, Seni <sup>r</sup> ,	Gershom Cobb,				
John Ensigne,	Samuell Briggs.				

The Constables of the severall Townes.

Plym̄,	. . . . .	Samuell Dunham,	sworne.
Duxbu <sup>r</sup>	. . . . .	Samuell West,	sworne.
Seit <sup>t</sup> ,	. . . . .	{ +Wiltam Hatch,+ +Jeremiah Hatch,+	{ See of this more 2 pages } forward in this booke. } sworne.
Sand,	. . . . .	Richard Gibbs, Seni <sup>r</sup> ,	sworne.
Taunton,	. . . . .	{ John Richmond, Shadrach Wibore,	} sworne,
Yarmouth,	. . . . .	Edward Sturgis,	sworne.
Barnstable,	. . . . .	M <sup>r</sup> Barnabas Laythorpe.	
Marshfeild,	. . . . .	{ Micaell Foard, John Hewitt,	} sworne.
Reho <sup>b</sup> ,	. . . . .	{ Jonathan Fuller, John Doged,	} sworne.
Eastham,	. . . . .	Thomas Paine,	sworne.
Brid <sup>g</sup> water,	. . . . .	Samuell Paeker,	sworne.
Dartmouth,	. . . . .	Wiltam Earle,	sworne.
Middleberry,	. . . . .	Isacke Howland,	sworne.

Surveyors of the Highwaies.

Plyn.õ,	. . . . .	{ Steven Bryant, Seni <sup>r</sup> , Andrew Ringe, Thomas Faunce, Ephraim Tilson.
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WINSLOW,  
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Duxb, . . . . .	{ John Rogers, Jun <sup>r</sup> , Peter West, Isacke Barker.
Scittū, . . . . .	{ Joseph Barkers, James Cudworth, Jun <sup>r</sup> , John Turner, Jun <sup>r</sup> .
Sand, . . . . .	{ Edward Perrey, Steuē Skiffe.
Taunton, . . . . .	{ Edward Rew, Israell Dean.
Yarmouth, . . . . .	{ Wiltam Eldred, John Whilden.
Barnstā, . . . . .	{ Austine Bearce, Gorge Lewis.
Marshfeild, . . . . .	{ John Carner, Wiltam Foard, Jun <sup>r</sup> .
Rehoboth, . . . . .	{ Nicholas Jyde, John Perrum, Jun <sup>r</sup> .
Eastham, . . . . .	{ Robe <sup>r</sup> Vixon, Heneri Attkins.
Dartmouth, . . . . .	{ Wiltam Bartrum, John Thurburrow, Nehemiah Allin.
Middlebery, . . . . .	Samuell Wood.

Ensigne Howes is approued and established to be the captaine of the military companie of Yarmouth.

It was ordered by this Court, that it be signified to the townes that the Court expects that the troopers in each towne be as many in number as before, and that they be prouided with armes and other aculterments fitt for that seruice, and that theire names be sent in to the next July Court.

Joseph Tayler, of Yarmouth, hath chosen M<sup>r</sup> John Miller to be his gaurdian, and the same is approued by the Court.

M<sup>r</sup> Hineckley is appointed by the Court to require and adminnester an oath to the inventory to the inventory of Anthony Annible, deceased, and to take securitie in the Courts behalfe for adminnestration.

[\*102.]

\*Wheras it is ordered by the Court, in reference vnto a certaine tract of land lying att Middleberry, that Benjamine Church should purchase it in the behalfe of the propriators and inhabitants of Middleberry aforesaid, and that it



1674.

3 June  
WINSLOW,  
Gov<sup>r</sup>.

doth appeer that the said tract of land is purchased by the said Benjamine Church and John Tompson, as more fully appeers by a deed bearing date the 23 of July, 1673; and wheras, alsoe, wheras the Court haue ordered, that the purchase therof should be repayed by the last of Nouember, 1673; and it being not payed by the time prefixed; it is mutually agreed by the inhabitants and propriators with them, the said John Tompson and Benjamine Church, that they should haue one third p̄te of the said land, and to take where they would within the said tract, soe as they take it together for their purchase and charge; and this to be for their eeeritic and euidence for their said land.

The Court haue ordered, that M<sup>r</sup> Hinckley, M<sup>r</sup> Freeman, and M<sup>r</sup> Bourne doe assist what they can in settling of the controuersy between the towne of Barnstable and Mashantampaine.

Weddensday, the 24<sup>th</sup> of this instant, is appointed by the Court for the inhabitants and purchasers of Dartmouth to meet together for the settling of the bounds of their towne; att which time the Gov<sup>r</sup>, M<sup>r</sup> Hinckley, the Treasurer, M<sup>r</sup> Walley, Leiftenant Morton, and John Tompson did engage to giue meeting with others to propose and indeauor that some prouision may be made for the preaching of the word of God amongst them.

In reference vnto a former graunt to Wilłam Paybody, if it may be found, this Court giues libertie vnto him to seeke out land for his accomodation and to purchase it, and to declare to the Court what hee hath done in that behalfe.

Att this Court Josiah Leuit, of Hingham, appeered, to answare the charge of Deborah Brookes, that hee had comitted fornication with her; and the Court haueing heard such testimonies on both p̄ties as haue bin produced for the clearing of the case, and finding noe sufficient prooffe of her said accusation, doe see cause to cleare him of his being guilty of the said fact soe farre as wee descerne.

In reference to the first p̄te of the petition prefered to the Court by Wilłam Nicarson, the Court takes notice, that what was expended in the purchase of the land att Mannamoiett, that hee should haue bourne the charge of the purchase therof according to agreement with those that had propriety therein; but forasmuch as hee falls in that p̄ticular, and expresseth himselfe satisfied in that behalfe, wee say noe more to it; for the second p̄ticulare, hee hath liberty to make purchase of the lands adjacent which is not purchased, according to the graunt of the Court, with the healp and assistance of such as shalbe appointed to healp therein for him.

To the p̄ticulare requesting a constable of their neighbourhood, the

1674.

3 June.  
WINSLOW,  
Gov<sup>r</sup>.  
Released.

Court orders, that Nathaniell Couell be impowered to serue theratt in the office of a deputy constable vnder the constable of Eastham.

Wiltam Randall, for abusing and strieking of Edward Wanton, was centanced by the Court, for his breach of the peace for strieking of the said Wanton, is fined three shillings foure penç.

And for his other miscarriages aforesaid, and to be bound to his good behaiour.

Released.

Wiltam Randall acknowledgeth to owe vnto our soñ lord  
the Kinge the sume of . . . . . } 20 : 00

The condition, that if the said Wiltam Randall be of good behaiour towards our soñ lord the Kinge and all his leich people, and especially vnto Edward Wanton, and appeer att the Court of his ma<sup>tie</sup> to be holden att Plymouth aforesaid the first Tursday in July next, and not depart the said Court without lycence ; that then, &c.

Josias Holmes, for selling liquors to the Indians, fined forty shillings.

Deborah Brookes, for comitting fornication, was centanced by the Court to be publickly whipt, which accordingly was inflicted.

7 July.  
[\*103.]

*\*Att the Court of his Ma<sup>tie</sup> holden att Plymouth the 7<sup>th</sup> of July,  
1674.*

BEFORE Josiah Winslow, Esq <sup>r</sup> , Gov <sup>r</sup> ,	John Freeman,
John Alden,	Constant Southworth,
William Bradford,	James Browne, and
Thomas Hinckley,	James Cudworth,
Assistants, &c.	

**T**HE Court haue ordered and appointed M<sup>r</sup> Hinckley and M<sup>r</sup> Freeman to issue and put an end vnto diuers controuersyes and difficulties, as, namely, between the towne of Yarmouth and Mashantampaine concerning the boundary line betwixt them and between the heires of Napoiatan and some Yarmouth men neare Sasuit or Satuckett att Mattakeese, and between Yamo and some other Indians aboute an iland or ilands att the South Sea.

This Court requests and impowers Josias Winslow, Esq<sup>r</sup>, Gov<sup>r</sup>, to sett out and to farme lett the house and land that was lately the house of our honored Gov<sup>r</sup> Prence, deceased, and to dispose of it by rent, soe as it may be preserued

from ruin, and as it may conduce in a probable way to the good of the country.

1674.

7 July.  
[WINSLOW,  
GOVERNOR.]

Samuell Dunham, Senir, of Plymouth, standeth bound vnto the Court of his ma<sup>tie</sup> held this day att Plymouth, in New England, in the penall sume of ten pounds sterling, on condition, that whereas Mr Isaacke Waldron, of Boston, plisition, hath comienced suite against Wilham Browne, of Charlestowne, chyrurgion, in an action of the case to the damage of twenty six pounds of currant mony, for that the said Browne hath neglected to pay a debt of thirteene pounds, due vpon bill soñtime in Aprill last past, vnto the said Waldron; if, therefore, the said Isaacke Waldron shall and doe appeer att the Court of his ma<sup>tie</sup> to be holden att Plymouth aforsaid the last Tusday in October next, then and there to procecute his said suite to effect, that then the aboue written obligation to be voyde and of none effect, or otherwise to remaine in full force, strength, and vertue.

This Court approued and established John Howland to be ensigne of the military companie of Barnstable.

Memorandum: that Keeneompsett came into the Court, and disclaimed and denyed any right that Napiotian had to dispose of the lauds att Matta-keesett.

John Simmons is graunted liberty by the Court, and with the consent alsoe of the propriators of Pocassett, to erect an house there, on condition hee keep a sufficient ferrey there; and likewise to keep an ordinary for the entertainment of traucellers and strangers, soe as hee keep good orders and prevent abuses that may be occasioned therby.

Att this Court, Walter Briggs requested the Court for a demission of the lands graunted vnto Mr Hatherley att Accord Pond; and the Court heard what was said by both the said Briggs and Mr John Jacobb in answare ther-vnto, but saw noe cause to graunt to him, the said Walter Briggs, his desire in that behalfe.

Edward Jenkins was sworne to the office of a constable in the ward of Scittuate on the 17<sup>th</sup> of June, 1674.

William Barstow was sworne to the office of a constable in the ward of Scittuate on the 22 of June, 1674.

Cornett Robert Studson, Isacke Chettenden, and John Cushen were chosen to the office of elect men in the towne of Scittuate on the 22<sup>cond</sup> of June, 1674.

Wilham Hatch and Jeremiah Hatch, haueing bin chosen to the offices of constables in the ward of Scittuate, but refusing to serue, doe submit themselves to the payment of their fine.

Thomas Kinge, Junir, haueing bin chosen to the office of a constable in

1674. the ward of Scittuate June 17, 1674, instead of one of those ȳmediately aboue named, refusing to scue, submitteth himselfe to the judgment of the Court.

7 July.  
WINSLOW,  
Gov<sup>r</sup>.

In reference vnto the first propriators of the lands in the Majors Purchase, soe called, which is in the township of Middleberry, between the two pathes, that wheras the record of there graunte expresseth onely thirty aeces a peece and proportionable cōmonage, the Court heerby declares, that there intent was, that all the lands within that tract called the Majors Purchase is settled and doth appertaine vnto them and there heires and assignes for euer, excepting such smallē p̄sells as haue since bin graunted vnto seuerall psons within the said tract, wherof a p̄sell was thirty aeces in the said tracte graunted to John Dunham, Juni<sup>r</sup>, as followeth :—

Thirty aeces of land is graunted by the Court, with the consent and concurrence of such as are the propriators in the said Majors Purchase, vnto John Dunham, Juni<sup>r</sup>, being layed out & bounded by Wilłam Nelson by order from Captaine Southworth, is as followeth, viz<sup>d</sup> : it lyeth on the easterensyde of the head of Rauē Brooke, marked with a stake att the northwest corner, and att the northeast corner with a smallē red oake, and on the southeast corner it is bounded with a rocke, and att the southwest corner it is bounded with a smallē red oake.

[\*104.]

\*Att this Court, Cap<sup>t</sup> James Cudworth was established to be captaine of the milletary companie of Scittuate.

And Serjeant Dillingham was approued to be leiftenant, and Serjeant Thacher to be ensigne, of the milletary companie of Yarmouth.

Wheras John Gibson and Thomas Cloake, two Indians soe called, whoe are the reputed soñes of Quantockamew, of Pottanumacutt, complaineth against Symon, the son of Pompino, for his vnjust detaining of there lands lying att Pottanumacutt aforsaid, left vnto them as there inheritance by there father deceased, this Court doth determine and settle the necke of land called Namacocke, made by the deare path, and the pond called Ocinamunt, and six aeces of land towards Leiftenant Joseph Rogers his marsh, John Sibson and Tom to haue the iland, and all the rest of there fathers land, except what is sold to the English, and what belonges to Josias his children, that to remaine feirme to them and there heires for euer.

Libertie is graunted vnto M<sup>r</sup> Samuell Saberry, of Duxburrow, to looke out for land to accomōdate him in reference to seuerall former graunts made by the Court vnto M<sup>r</sup> Wilłam Kemppe, deceased, which the said M<sup>r</sup> Kemppe neuer had, nor any for him, and was disappointed of some p̄sells of land assigned to him; and therby hee haueing an interest therein, as appeers by the records of this Court, if, therefore, the said M<sup>r</sup> Saberry, his son in law, can

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find any lands as yett vndisposed of, hee is to haue a competent accomodation of lands out of the same.

Libertie is graunted by the Court vnto John Cooke to looke out some lands for his accomodation, and likewise Captaine Bradford and Mr Joseph Bradford in reference vnto a former graunte made to Mr Wiltam Bradford, deceased, for the accomodation of his children; the said Cap<sup>t</sup> Bradford and Joseph Bradford to be accomodated neare vnto the land John Cooke hath an eye vnto and doth desire; and the Treasurer is appointed by the Court to take a view of what they desire, and to lay out a proportion vnto each of them.

Wheras Thomas Joy, of the towne of Hingham, in the goūment of the Massachusetts, house carpenter, hath caused great disturbance amongst vs by producing a deed of gift of lands to him from an Indian sachem, wherby hee hath broken a law of this collonie prohibiting the purchasing or receiuing any lands by way of gift from any Indian or Indians without libertie giuen them by the Court, and for the same his disturbance and breach of the law was comitted to prison; the said Joy coming into the Court, and in open Court hee disclaiming any right or title to any lands within the said deed expressed that hee hath therby layed claime vnto, and surrendering the said deed vnto the Court, they saw cause to release him.

In like manor, wheras Mr Peter Talmon, of Rhode Iland, produced a deed of gift and a deed of sale in open Court of considerable tracts of land obtained of the Indians without the approbation of the Court, wherby the law abouemensioned is broken, and *the* hee, the said Talmon, for the same comitted to prison, hee coming into the Court, and in open Court surrendering vp the said deeds to the Court, and disclaiming and renouncing all right or title to any lands therein expressed, the Court saw cause to release him.

Memorand: that before the psons aboue named were comitted to ward, that a tender was made to them seuerally, that if they would either pay the penalty of the breach of the said law, or surrender vp theire deeds to the Court, and renounce and disclaime any right and title to any lands therein expressed, they should not be comitted; which they att the first refusing to doe, were comitted, and afterwards condecending vnto, were released.

Wheras there is an Indian, called Hoken, that hath bin a notorious theife, and besids former thefts, of late hath broken vp the house of James Bursell, of Yarmouth, for which hee was comitted to prison; and hee made an escape by breaking of prison, and since stole a horse, being insolent in his carryage and an incorrigable theife, that will not be reclaimed, but lyeth sherk-ing and lurking about, wherby many persons are greatly in feare and danger of

1674. him; wherefore the Court doe order Mr Hinckley and Leiftenant Freeman, or any other majestrate that can light off the said Hoken, that they cause him to be apprehended and sold or sent to Barbadoes, for to satisfy his debts and to free the collonie from soe ill a member.

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WINSLOW,  
Gov<sup>r</sup>.

Att this Court Wiltam Maycomber appeered, being summoned to answare for his breach of the Sabbath in a high degree expressed by his going to an Indian house on the Sabbath day to demaund a debt, and otherwise abusing two old Indians, is fined forty shillings to the vse of the collonie, according to the law, or be publickly whipt.

John Rickard, the son of John Rickard, and Samuell Dunham, the son of Samuell Dunham, for abusing an Indian, and therin breaking the Kings peace, was fined, each of them, three shillings and four pence.

27 October. \*Att the Court of his Ma<sup>tie</sup> held att Plymouth, for the Jurisdiction  
[\*106.] of New Plymouth, the 27<sup>th</sup> of October, 1674.

BEFORE Josiah Winslow, Esq̄, Gov̄,	John Freeman,
John Alden,	Constant Southworth,
Wiltam Bradford,	James Browne, and
Thomas Hinckley,	James Cudworth,
Assistants, &c.	

**W**HERAS formerly there hath bin a proposition made by some of the towne of Bridgwater, that there might be a booke procured, and pson appointed to register their lands, with every proprietors interest, which hath not hitherto ben effected, severall of Bridgwater haucing att this Court p̄sented a preface to be prefixed to the said booke, and this Court judging it very rationall that it should be proccented to effect, this Court therefore ordereth, that such as oppose the same shall either conc̄ur with the rest therin, or appoint some in their behalfe to appeer att the next Court to giue a reason of their decent; and wheras there hath bine some controuersy about the destruction of swampes in their township, that such as shall appeer att the Court in the other case bee impowred in the behalfe of the rest concerned therin, to speake to that p̄ticulare alsoe; and inc̄ase there shalbe a continued neglect concerning the p̄mises, the Court will see cause to take some effectuall course for the effecting of the same.

Wheras att the last Court John Barker, attorney to Samuell Hilland, as attorney to the said Hilland, by processe of law obtained a verdict and judgement of fourteen pounds of Israell Hubert, eight pounds wherof is by the said Hubert alreddy payed; and that some way the said Barker hath procured the bill by which the said sume was demaunded; this Court hath ordered, that the remaining six pounds remaine vnpayed vntell the said bill be deliuered to Captaine Cudworth, appointed by the Court to receiue it.

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 27 October.  
 [WINSLOW,  
 GOVERNOR.]

In reference to the complaint against Wilfam Hatch, Jeremiah Hatch, and Thomas Kinge, for refusing to serue in the office of constable, they requesting they may haue liberty to aplic themselues to the Generall Court in order to getinge of ther fines, which liberty was granted; but they apliced themselues not to the Generall Courte, so the Courte do order, William Hatch & Jeremiah Hatch their fines be required of them.

¶Att the Court of his ma<sup>tie</sup> held at Plymouth the 8<sup>th</sup> of March, 1676, the Court ordered, that the fines of Jeremiah Hatch and Wilfam Hatch should be leuied.¶

Letters of adminnestration was graunted unto Hugh Stewert to adminnester on the estate of Thomas Phelps, deceased.

Eres of adminnestration was graunted vnto Elizabeth Knapp to adminnester on the estate of Aron ^

Concerning the Settlement of the Estate of Thomas Phelpps, allies Phillips, of Yarmouth, deceased.

The whole estate, by inventory both of house and lands and moueables, is valued att . . . . .	} <sup>n</sup> 65 : 10 : 03
Debts to be payed out of it, . . . . .	05 : 10 : 00
Proper estate deuideable, . . . . .	060 : 00 : 03
The widdowes p̄te of the moueables, . . . . .	08 : 06 : 09
Item, her thirds of the proffitts of the lands, . . . . .	04 : 10 : 00
Allowed her towards the bringing vp of the youngest child, . . . . .	} 04 : 00 : 00
	16 : 16 : 09

This deuidable between eight children, the eldest haucing a double portion, soe that it being considered into 9 parts, it amountes vnto each child, . . . } 04 : 15 : 06

And the eldest to haue a double p̄te or share.

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WINSLOW,  
Gov<sup>r</sup>.

Josias Leichfeild is required by the authoritie of the Court, without any further delay, to make pay vnto his two sisters, Remember Lewse and Dependance Leichfeild, to each of them, the full of one third pte of the estate of his brother, Experience Leichfeild, when the debts are payed.

An Order directed to the Coꝛmittees of Scittuate.

This Court, taking notice of the complaint of Wiltam Parker and Joseph Coleman, Seni<sup>r</sup>, of Scittuate, that they haueing longe liued in the said towne, haue not bin hitherto accomodated with any considerable tract of land, according to their antiquity and desirt, and alsoe considering that the former coꝛmittey, by reason of their former order from the Court, were to straightly bound vp as to their further accomodation, this Court doth order that the pꝛesent coꝛmittey doe forthwith accomodate the pꝛsons abouesaid with each of them sixty acres of land, where the said coꝛmittey shall judge meet.

M<sup>r</sup> Freeman and Jonathan Sparrow are appointed and authorised by the Court to settle the bounds of a certaine pꝛsell of land att Mannamoiett, vnto Wiltam Nicarson, which hee hath purchased of the grandees to whom the Court graunted it, which pꝛsell of land is soe to be layed out as being adjacent vnto the land Nicarson first bought of the Indians, and which land is not to exceed 100 acres to each man that was concerned in the Courts graunt, and Wiltam Nicarson is authorised by the Court to make purchase of the said land as hee hath opportunity for to purchase it.

[\*107.]

This entry of this extent is made null by the Court and otherwise entered with an addition. See three pages forward in this booke.

\*Wheras Mary Wyatt, of Taunton, widdow, late wife to Leif James Wyate, deceased, hath seuerall times supplicated to this Court for relieffe, and vpon seuerall considerations, finding the widdow indebted to Joseph Leanard, of Taunton, the sume of eleuen pounds, as by the widdowes owne acknowledgment, in her petition to this Court, October, 1674, it may appeer, this Court haue, in reference to the aforsaid debt, graunted to Joseph Leanard aforsaid, an extent on eight acres of the land which was pte of the estate of the aforsaid Leiftenant Wyate, deceased, for the aforsaid Leanards securitie, soe that hee, the aforsaid Leanard, may and shall peccably possesse and inioy the aforsaid land vntill hee is fully payed his due debt, and alsoe all nessesary charges expended or laid out on the land, excepting a right heire to the aforsaid land appeer, and will pay the debts, with all nessesary charges expended on the aforsaid land. The said eight acres of land is lying and being in the towne of Taunton, and bounded on the east end on Taunton Mill Riuer, and on the west end on the coꝛmon; on the northsyde by the land of Robert Thornton.



A Letter of Attorney, appointed by Order of Court to be recorded.

1674.

27 October.  
WINSLOW,  
Gou<sup>r</sup>.

Be it knowne vnto all men by these p̄sents, that I, Johannah Willett, of Milford, in the collonie of Coñecticott, in New England, haue made, assigned and assured, ordeined and deputed, and in my sted and place, by these p̄sents, putt my loucing frind, M<sup>r</sup> Jacob Walker, of Stratford, in the collonie of Hartford, aforsaid, my true and lawfull attorney for mee, and in my name and to my vse, to aske, leuy, recouer all and singulare such debts, dues, sume or sumes of mony as are or shalbe due or owing vnto mee, Johannah Willett, by joynture, dowrey, gift, or vpon any other ingagement whatsoever, giueing and by these p̄sents graunting vnto my said attorney full power and authoritie to acte for mee and in my behalfe, in all thinges needfull and nessesarie to be done in or about the p̄mises, and vpon receipt of any sume or sumes of mony, for mee and in my stead and name to make, seale, and deliuer any lawfull discharges for the same, as alsoe to make one attorney or more vnder him, and all and euery other thing or thinges which shalbe needfull or nessesarie to be doñ in or about the p̄mises, the same to doe as fully and wholly as I my selfe might doe, if I were there p̄sonally p̄sent, holding feirme and stable all and whatsoever my attorney or attorneys shall doe or cause to be doñ in or about the p̄mises, by these p̄sents. Witnes my hand and scale, this 19 day of October, 1674.

JOHANNAH WILLETT, and a



Seal.

WILLETT,

Signed, sealed, and deliuered in the p̄sence off

Richard Bryant,  
Samuell Coley.

The witnesses to this abouesaid letter of attorney were sworne before mee,

ALEXANDER BRYANT,

October 19<sup>th</sup>, 1674.

Assistant.

An order was directed from this Court to require the surveyors of Plymouth speedily to cause a way to be mended between Bridgewater and Plymouth, which is very dangerous for man and beast, as they will answare their neglect att their p̄rill.

An order was directed from this Court, to require seuerall p̄sons who haue come into the collonie without the approbation of the Gou<sup>r</sup> and two magistrates, contrary to order, liuing att Taunton, and downe Taunton Riner, to depart the gou<sup>r</sup>ment betwixt this date and the 28<sup>th</sup> of February next, or to



Att this Court, Nicholas Alberson, for breach of the Sabbath, and pilfering, and severall times, and for telling a lye in his examination concerning the p̄mises, was centanced by the Court to be publickly whipt, which accordingly was inflicted.

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27 October.  
WINSLOW,  
GOV<sup>r</sup>.

[\*109.]

\*Whereas Mary Wyatt, of Taunton, widdow, late wife to Leiffenant James Wyatt, deceased, haue severall times suplycated to this Court for reliefe, and after severall considerations, finding the said widdow indebted to Joseph Leanard, of Taunton, the sume of eleuen pound, as by the widdowes owne acknowledgiment in her petition to this Court, October, 1674, it may appeer, this Court haue, in reference to the aforsaid debt, graunted vnto Joseph Leanard an extent on eight acres of land, which was p̄te of the estate of the aforsaid Leiffenant Wyatt, deceased, for the aforsaid Joseph Leanards eccuritie, soe and that the aforsaid Leanard may and shall peaceably possesse and enjoy the aforsaid land vntill hee is fully payed his due debt, and alsoe all necessary charges expended or layed out on the said land, excepting a right heire to the aforsaid land appeer, and will pay the debt, with all necessary charges expended on the aforsaid land. The eight acres of land is lying and scittuated in the towne of Taunton, and bounded on the east end on Taunton Mill Riuer, and on the west end on the cōmon, and on the north syde by the land of the aforsaid Joseph Leanard, and on the south syde by the land of Robert Thornton, on all which eight acres of land, bounded as heer expressed, the Court haue graunted an extent to the abouemensioned Joseph Leanard, his heires, executors, or assignes, vntill hee or they shalbe fully payed and satisfied his said debt, and all necessary disbursments on or about the land, or that it be redeemed by the lawfull heire.

John Gorum, Seni<sup>r</sup>, aged 53 yeares, or therabouts, testifyeth, that some time since, hee being desired to write a memorandum of an agreement between Jabez Lambert and Zachariah Ryder, concerning lands of Abraham Darbey, which is in the bounds of Yarmouth, and they cōmitted the writing, after it was written, to my keeping, some space of time after, Abraham Darbey, coming from Verginnia, put in on the othersyde of the Cape, and come to my house, and I told him that his brother, Jabez Lambert, had sold all rights of lands in the bounds of the towne of Yarmouth, and Abraham Darbey said what hee had done in that respect hee had giuen him order soe to doe, and it should be made good, or to that very purpose.

Dated this 4<sup>th</sup> 1. 7<sup>th</sup>

This was sworne before mee,

JOHN ALDIN, Assistant.

1674.

27 October.  
WINSLOW,  
Gou<sup>r</sup>.

Hannah Darbey, aged thirty two or therabouts, testifyeth and saith, that my husband, Abraham Darbey, gaue vnto my brother in law, Jabez Lumbert, liueing in Barnstable, in the jurisdiction of New Plymouth, order to sell all the lands left him by his father, John Darbey, deceased, within the bounds of Yarmouth, in the aforesaid jurisdiction, with all the priuillidges and appurtenances thervnto belonging, and for the which I receiued pte of the payment in my husbands absence, by my brother Lumbert, which when my husband came home I aquainted my husband therwith, and hee was satisfied with my brother Lumbert, for soe much as I had receiued, and in what hee had doñ in the sale of the aforesaid lands; and further saith not.

Taken vpon oath Nouember the 19<sup>th</sup>, 1674, before mee,

EDWARD TINGE,

Assistant.

1674-5. \**All the Court of his Ma<sup>tie</sup> holden att Plymouth the first of March, 1674.*

1 March.

[\*110.]

BEFORE Josias Winslow, Esq <sup>r</sup> , Gou <sup>r</sup> , and	John Freeman,
John Alden,	Constant Southworth,
Thomas Hinckley,	James Browne, and
Wiltam Bradford,	James Cudworth,

Assistants, &c.

**I**N reference vnto the affaires of the towne of Sandwich, whoe are proprietors, and whoe are interes<sup>t</sup> in the towne priuillidges, being att great vn-certainty amongst themselues, our honored Gou<sup>r</sup>, (if it may be,) M<sup>r</sup> Aldin and M<sup>r</sup> Hinckley, M<sup>r</sup> Constant Southworth and M<sup>r</sup> Freeman, are by the Court requested and impowered to take some convenient time to goe to Sandwich, to vse theire best indeanors to settle those affaires amongst them, and in the mean time, the Court sees noe reason that those whose names are in a list giuen in by Wiltam Swift, for to receiue a graunt of marsh, or such as are heires or successors of such, that they or any of them should be debarred and deprived of the comon towne priuillidges, except any of them come vnder the law that doth prohibite some psons for voating for officers.

Letters of administration is granted by the Court vnto Mistris Mary Thomas, the relict of Cap<sup>t</sup> Nathaniell Thomas, deceased, and vnto M<sup>r</sup> Wilt Thomas, to adminnester on the psonall estate of the said Cap<sup>t</sup> Thomas, and it was agreed by and between the said Wiltam Thomas, and Nathaniel Thomas, and Isaacke Little, now present in the Court, that the debts due to any from the said estate being duly payed, the resedue of the said estate shal-

be att the sole dispose of the said Mary Thomas, prouided the other children consent thervnto. 1674-5.

The Court, seing cause to require the psonall appearence of an Indian, called Tobias, before the Court, to make further answare to such intergatoryes as shalbe required of him, in reference to the suddaine and violent death of an Indian called John Sassamon, late deceased, the said Tobias and Tuspaquin, the black sachem, (soe called,) of Namassakett, and Wilham, his son, doe all joyntly and seuerally doe heerby bind ouer off their lands, to the vallue of one hundred pounds, vnto the Court, for the psonall appearence off the said Tobias att the Court of his ma<sup>tie</sup>, to be holden att Plymouth aforesaid the first in June next, in reference to the p<sup>m</sup>ises.

1 March.  
WINSLOW,  
Gou<sup>r</sup>.

Memorand: that Wilham Earle, the constable of Dartmouth, be sūmōned in to the next Court to answare the complaint of Mamanewed, for beating his wife, and trespassing on his land with his cattle.

Wheras Edward Jenkins hath formerly petitioned the Court, that his daughter, Mary Atkinson, may be diuorsed from her husband, named Marmeduke Atkinson, declaring that hee, the said Marmeduke Atkinson, hath left the said Mary, his wife, and absented himselfe from her the full tearme of seauen yeares and more, neither coming att her nor prouideing for her, wherfore, althō the Court sees noe cause to graunt a diuorce, yett they doe apprehend her to be noe longer bound, but doe leaue her to her libertie to marry if shee please.

Memorand: that wheras the towne of Taunton was sent vnto to send their agents to treat with Bridgwaters agents, in reference vnto bounds of lands, and titles of lands, and that Tauntons agents haue heer attended seuerall dayes, and none of Bridgewater did giue them any meeting, this Court haue ordered, that there shalbe a sesation of acting or doeing any thinge by Bridgewater men, concerning the said lands in controuersye, vntill they haue had a hearing before the Court.

\*Wheras the last will and testament of M<sup>r</sup> Josiah Winslow, Seni<sup>r</sup>, deceased, the 12<sup>th</sup> day of the 2<sup>concl</sup> month, 1673, was p<sup>s</sup>ented vnto the Court to be proued,—

[\*111.]

Before probate of which caution was p<sup>s</sup>ented, grounded on sundry testimonies vpon oath, wherby it did appeer vnto this Court that M<sup>r</sup> Josias Winslow, Seni<sup>r</sup>, aforesaid, his house, and all his laūds lying and being in Marshfeild, were giuen by him the said Josias Winslow vnto his son and heire, Jonathan Winslow, in franke marriage vnto Ruth, the daughter of M<sup>r</sup> Wilham Serjeant, which said house and lands in Marshfeild are againe diuised by his last will and testament vnto his son, Jonathan Winslow, intaile; the Court apprehending that a man can not by his last will and testament defeat and make void a gift of lands made vnto his son and heire in franke marriage, but that such

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gift is extinct, and made void by a former gift in frank marriage, and therefore doe declare that p<sup>t</sup>e of the will, soe farr as the disposall of the said house and land, to be a void gift, and doe order that the abovesaid testimonies vpon oath to bee heerwith recorded, and the rest of the said will abovesaid to stand valled, and doe graunt letters of adminnistration vnto Mistris Marguerett Winslow, executrix to the said will, and doe request the honored Gou<sup>r</sup> to take her oath to the inventory of the estate.

This Court graunts libertie vnto Mistris Mary Sturgis, the relict of M<sup>r</sup> Samuell Sturgis, late deceased, to adminnester on his estate, together with M<sup>r</sup> Freeman, M<sup>r</sup> Elisha Hedge, and John Miller, and Edward Sturgis, Jun<sup>r</sup>, and to be assisted by the aduice of M<sup>r</sup> Hineckley, and to ripen matters in order vnto the settlement of the said estate, which being done, that then M<sup>r</sup> Hineckley, being now impowered by the Court, doe adminnester an oath to the said Mary Sturgis, widdow, for the truth of the inventory of the estate aforesaid; and vpon their report to the Court of their soe acting respecting the p<sup>m</sup>ises, that then the Court will take course for the equall distribution therof, according to justice and prudence.

The Court hath  
graunted to the  
said Jabez  
Lumbert l<sup>tes</sup> of  
adminnestr-  
ation on the said  
estate.

Wheras it doth appeer to the Court, that Jabez Lumbert was left by Mathew Darbey, deceased, with order to looke after his estate in his absence, which hee hath in this collonie, this Court therefore doth order, that the said Jabez Lumbert doe looke after and gather in all such dues and debts as are owing and belonging to the said Darbeyes estate, and keepe a faire accompt of the same, soe as hee may be redy to giue in the said accompt, when any heire shall appeer, or when the Court shall see cause to require it.

John Sutton being conuict of selling syder to the Indians, incase that hee pay downe 20<sup>s</sup> in siluer mony, hee is released.

It is ordered by the Court, that wheras it doth appeer vnto the Court, that wheras there was an vnlawfull bargaine made between Richard Ridgely and Richard Tarr, concerning goods bought by the said Richard Tarr, which goods are attached by one of the constables of Taunton, the Court orders, that the said constab<sup>l</sup> shall returne the said goods vnto the wife of the said Ridgely, for and towards her support, prouided that all nessesarie charges be defrayed out of them.

[\*112.]

\*Wheras diuers of the inhabitants of the towne of Middleberry doe desire that all such as are propriators of the lands within the libertyes of the said township shall meet together in order vnto the settlement of matters amongst them, and to put thinges into such order, p<sup>ti</sup>cularly in respect of the purchase of lauds made by the Treasurer, soe as may tend to the comon good of the towne, in which respect the Court haue thought meet, and doe

order and propose, that the fifteenth day of Aprill next be appointed, on which there shalbe a generall meeting of all such the propriators aforesaid; and if, vpon sufficient warninge to appeer, any shall stay away, that such as doe meet shalbe and are heerby impowered to acte respecting the premises; and the psons defectiue in non appearence to rest in what they acte in that behalfe.

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Gou<sup>r</sup>.

In reference vnto the complaint of Rebeckah Littlefeild, soñtimes of Ransome, in the jurisdiction of the Massachusetts, against Israell Woodcocke, of Rehoboth, in the jurisdiction of New Plymouth, that hee hath begotten her with child, the Court, haucing examined him concerning it, and haucing heard diuers please and pused diuers evidences about it, and hee the said Woodcocke stiffly deneying it, doe not see cause absolutely to charge him with it, nor satisfying reasons to cleare him, and therefore doe award the said Israell Woodcocke to pay or cause to be payed vnto the said Rebecka Littlefeild, or her order, two shillings a weeke, quarterly, and euery quarter, towards the keeping of the child shee goes with, after the birth therof, vntill the tearme of seauen yeares be expired, or soc longe of the said tearme of time as the said child shall liue, to be payed in corne, and deliuered att the house of M<sup>r</sup> Edward Ranger, att Boston, att prise currant, att the deliuey therof.

And the Court likewise centanced him to find surties for his good behaiour vntill the next July Court.

And the said Rebecka Littlefeild is centanced by the Court to suffer according to the law against this her fact.

Israell Woodcocke acknowledgeth to owe vnto our sou <sup>r</sup>	} 20 : 00
lord the Kinge the sūme of . . . . .	
John Woodcocke the sūme of . . . . .	20 : 00

The condition, that if the said Israell Woodcocke be of good behaiour towards our sou<sup>r</sup> lord the Kinge and all his leich people, and appeer att the Court of his ma<sup>tie</sup> to be holden att Plymouth aforesaid the first Tuesday in July next, and not depart the said Court without lycence; that then, &c.

Israell Woodcocke, of Rehoboth, plantor, stands bound vnto Rebeckah Littlefeild in the penall sūme of thirty pound.

John Woodcocke, of the same place, in the penall sūme of thirty pounds.

The condition, that wheras the said Rébeckah Littlefeild hath accused the said Israell Woodcocke that hee hath begotten her with child, in reference whervnto the Court haue seen cause to award the said Israell Woodcocke to pay vnto the said Rebeckah Littlefeild or her order the sūme of two shillings a weeke, &c. If, therefore, the said Israell Woodcocke doe pay the said sūme of two shillings awecke towards the keeping of the child shee the said Littlefeild goes with, according to specue and time as in the order of Court cou-

Since this bond was entered there is another passed vnder hand & seale, see that this is null.

1674-5. cerning the *the* same is expressed, that then the aboue written obligation to be void and of none effect, or otherwise to remaine in force and vertue.

1 March.  
WINSLOW,  
Gor<sup>th</sup>.

[\*113.]

\*March Court, 1674. Vpon the petition of the propriators of the lands att Saconett, and places adjacent, the Court hath graunted vnto the said propriators, or the major pte of them, as a townshipp, to make such actes and orders as shalbe needfull or convenient for the welbeing, settleing, and ordering of the said place or plantation, and especially for the settleing of such a society there as may be instrumentall for the mannaging and carrying on of the worship of God, and matters in the comonwealth.

February the 13<sup>th</sup>, 1672. Wheras I, Walter Hatch, making my adresse to the comittee that is impowred by the Court to lay out lands att Scittuate for my due on that account, although I could not satisfy them that my condition came vnder the p̄sent comission, yett some of them doe conceiue that I haue as good right to an alotment as some other that is alowed an alotment by the comittee.

ISACK BUCK,  
ISACKE CHETTENDEN,  
JOHN DAMAN,  
JOHN TURNER, Senir,  
JOHN TURNER, Junir.

The Court, haueing heard and considered his complaint, doe not see reason and just cause for the complaint, and therefore doe order that Walter Hatch doe repaire the damage of the comittee, by bearing the charges of there attendance about this matter.

In reference to the petition of Mistris Gray, of Yarmouth, respecting her low condition, and that it doth appeer that the estate is more indebted than it is able to satisfy, this Court, in respect to her p̄sent nessesitic, doe order M<sup>r</sup> Hinckley to sett out some few p̄ticulars, as beding, and some other nessesaries, to be disposed to her by him for her p̄sent releiffe, soe that it exceed not aboue 20<sup>li</sup>.

Released.

Nathaniell Hall, of Yarmouth, weauer, acknowledgeth to }<sup>11</sup>  
owe vnto our soū lord the Kinge the sūme of . . . . } 20 : 00

The condition, that if the said Nathaniell Hall be of good behaiour towards our soū lord the Kinge and all his leich people, and appeer att the Court of his ma<sup>tie</sup> to be holden att Plymouth aforesaid the first Tusday in July next, to make further answare to such intergatories as shalbe made to him respecting his p̄sentment; that then, &c.





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1 June.  
WINSLOW,  
Gov<sup>r</sup>.

Cap<sup>t</sup> Bradford the next in nomination.M<sup>r</sup> Constant Southworth was chosen Treasurer, and sworn.The Names of the Celect Men in each Towne of this Gov<sup>rn</sup>ment.

	{	Leif <sup>t</sup> Morton,
	{	Wilham Crow,
Plymouth, . . . . .	{	Serjeant Wilham Harlow,
	{	M <sup>r</sup> Wilham Clarke,
	{	Ephraim Tinkham.
	{	M <sup>r</sup> Samuell Saberry,
Duxburrow, . . . . .	{	Benjamine Bartlett,
	{	Wilham Paybody.
	{	John Damman,
Scittuate, . . . . .	{	Jerniah Hatch,
	{	John Cushen.
	{	Wilham Swift.
Sandw <sup>ich</sup> , . . . . .	{	Steu <sup>n</sup> Skiffe,
	{	Thomas Tupper, Jun <sup>r</sup> .
	{	Richard Williams,
	{	Walter Dean,
Taunton, . . . . .	{	Wilham Harvey,
	{	Leif <sup>t</sup> Macey,
	{	John Tisdall, Sen <sup>r</sup> .
	{	Captaine Howes,
	{	M <sup>r</sup> Edmond Hawes,
Yarmouth, . . . . .	{	John Miller,
	{	John Thacher,
	{	Edward Sturgis, Sen <sup>r</sup> .
	{	Leif <sup>t</sup> Laythorpe,
Barnstabl <sup>e</sup> , . . . . .	{	M <sup>r</sup> Barnabas Laythorpe,
	{	M <sup>r</sup> Thomas Huckens.
	{	M <sup>r</sup> John Bourne,
Marshfeild, . . . . .	{	Wilham Foard, Sen <sup>r</sup> ,
	{	M <sup>r</sup> Nathaniel Thomas.
	{	M <sup>r</sup> Stephen Paine, Sen <sup>r</sup> ,
Relhoboth, . . . . .	{	Leif <sup>t</sup> Peter Hunt,
	{	Ensigne Smith.
	{	Nicholas Snow,
Eastham, . . . . .	{	Jonathan Sparrow,
	{	Marke Snow.

Bridgwater, . . . . .	{	Leifſ Haward, John Willis, John Carey.
Swanſey, . . . . .	{	John Allin, Seni <sup>r</sup> , Samuell Luther, Hugh Cole.
Dartmouth, . . . . .	{	John Cooke, Arther Hathewey, James Shaw.
Middleberry, . . . . .	{	Mr Francis Combe, John Tompſon, Jonathan Dunham.

1675.  
1 June.  
WINSLOW,  
Gou<sup>r</sup>.

\*The Names of the Deputies that ſerued att this Court and the ſeuerall  
Adjournments therof.

[\*115.]

Leifſ Morton,	Mr Barnabas Laythorpe,
Sarjeant Harlow,	Enſigne Eames,
Mr Joſiah Standiſh,	Anthony Snow,
Wilſam Paybody,	Enſigne Smith,
John Daman,	Mr Daniell Smith,
Jeremiah Hatch,	Jonathan Sparrow,
Thomas Tupper,	Marke Snow,
Leifſ Gorge Mace,	John Willis,
Wilſam Harvey,	Hugh Cole,
Mr Edmond Hawes,	John Cooke,
Cap <sup>t</sup> Thomas Howes,	John Tompſon.
Mr Huckens,	

The Conſtables of the ſeuerall Townes within this Goſument.

Plymouth, . . . . .	Jabez Howland.
Duxburrow, . . . . .	Wilſam Brewſter.
Scit <sup>t</sup> , . . . . .	{ Joseph Silueſter, Joseph White.
Sandw <sup>̃</sup> , . . . . .	Benjamine Hamond.
Taunton, . . . . .	{ James Tiſdall, Thomas Dean.
Yarmouth, . . . . .	Nathaniel Baſſett.
Barnſtable, . . . . .	John Finney, Seni <sup>r</sup> .
Marſhcild, . . . . .	{ Thomas Doged, John Rouſe, Juni <sup>r</sup> .

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Rehoboth, . . . . .	{ Nathaniell Cooper, John Miller, Jun <sup>r</sup> .
Eastham, . . . . .	{ Joshua Banges.
Bridgewater, . . . . .	{ Wiltam Brett, Jun <sup>r</sup> .
Swansey, . . . . .	{ Hezekiah Luther.
Dartmouth, . . . . .	{ John Russell, Sen <sup>r</sup> .
Middleberry, . . . . .	{ Gorge Vaughan.

## The Grand Enquest.

John Cushen,	John Butterworth,
Wiltam Crocker,	Thomas Gibbs, Jun <sup>r</sup> ,
Phillip Dellano,	Samuell Williams,
Andrew Ringe,	Joseph Hall,
Wiltam Brookes,	Nathaniel Winslow,
John Wadsworth,	James Gorum,
Joseph Howland,	Jacob Burge,
Joseph Aldin,	John Mayo,
Joseph Wilbore,	John Sawyer,
Andrew Hallott,	John Titus,
Wiltam Sabin,	John Nelson.

## The Surveyors of the Highways.

Plym, . . . . .	{ Joseph Warren, Samuell Dunham, John Doten, Robert Ransom.
Duxbu <sup>r</sup> , . . . . .	{ John Rogers, Sen <sup>r</sup> , Joseph Wadsworth, Joseph Rogers.
Scittū, . . . . .	{ Moses Symons, Charles Stockbridg, Richard Dwelley.
Sand, . . . . .	{ Thomas Gibbs, Wiltam Newland.
Taunton, . . . . .	{ John Turner, John Bryant.
Yarmouth, . . . . .	{ Wiltam Eldred, John Whilden.
Barnstā, . . . . .	{ John Danis, Samuell Hinckley

Marshfield, . . . . .	{ Jonathan Winslow, Samuell Sprague.
Rehoboth, . . . . .	{ Gorge Kendericke, Wilkam Carpenter.
Eastham, . . . . .	{ Robert Vixon, Henary Atkins.
Swansey, . . . . .	{ Robert Jones, John Thurburrow.
Middleberry, . . . . .	{ Obadiab Eedey, John Morton.

1675.  
1 June.  
WINSLOW,  
Gov<sup>r</sup>.

\*Att this Court three natiues were arraigned, viz<sup>d</sup>, Tobias, & Wampapaum, and Mattushamama, for that being accused, that they did with joynt consent, vpon the 29 of January, anno 1674, att a place called Assowamsett Pond, wilfully and of sett purpose, and of mallice fore thought, and by force and armes, murder John Sassamon, an other Indian, by laying violent hands on him and striking him, or twisting his neeke, vntill hee was dead; and to hide and conceale this theire said murder, att the time and place aforesaid, did cast his dead body through a hole of the iyce into the said pond.

[\*116.]

These, being examined, denyed the fact, and put themselues on tryall by God and the countrey, and were found guilty.

The Verdict of the Jury giuen into the Court in the words followinge.

Wee, of the jury, one and all, both English and Indians, doe joyntly and with one consent agree vpon a verdict: that Tobias, and his son Wampapaquan, and Mattashunnamo, the Indians, whoe are the prisoners, are guilty of the blood of John Sassamon, and were the murderers of him, according to this bill of inditement.

The verdict of the jury being accepted by the Court, the sentance of death was pronounced against them, the said Tobias, and Wampapaquan his son, Mattashanamo, viz<sup>d</sup>: to be carryed from the place of tryall to the prison from whence they came, and from thence to the place of execution, and there to be hanged by the head vntill their bodies are dead; and accordingly was executed, the 8<sup>th</sup> of June, 1675, on the said Tobias and Mattashunannamo; but the said Wampapaquan, on some considerations, was reprinted vntill a month be expired from this present date;

But afterwards shott to death within the said month.

1675.

The Names of the Jury that went on this Tryall.

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Gov<sup>r</sup>.  
His ma<sup>ties</sup> at-  
torney entered  
cauiot that the  
estates of the  
prisoner, both  
of lands and  
goods, both  
prsonall and  
reall, might be  
secured accord-  
ing to law.

sworne,	}	Wiltam Sabine,	sworne,	}	Andrew Ringe,
		Wiltam Crocker,			Robert Vixon,
		Edward Sturgis,			John Done,
		Wiltam Brookes,			Jonathan Banges,
		Nathaniel Winslow,			Jonathan Shaw,
		John Wadsworth,			Benjamin Higgin.

It was judged very expedient by the Court, that together with this English jury aboue named, some of the most indifferentest, grauest, and sage Indians should be admitted to be with the said jury, and to heelp to consult and aduice with, of, and concerning the premises. There names are as followeth, viz<sup>d</sup>: one called by and English name, Hope, and Maskippague, Wannoo, Gorge, Wampye, and Acanootus; these fully concurred with the aboue written jury in their verdict.

Edward Sturgis, Sen<sup>r</sup>, of Yarmouth, complained att this Court against Thomas Baxter and Joseph Egleston, on suspision of their entering his house on the Lords day, about the eleauenth of Aprill last past, and their breaking open a lock, and tooke and lett out some quantitie of sacke, and alsoe opened other lockes, and tooke out to the vallue of three pounds of siluer mony of seuerall coynes; altho the Court are not soe fully & cleared satisfied about the truth of this accusation, notwithstanding doe see cause to requir of bonds for their good behavior vntill the next October Court.

Released.

Thomas Baxter, bricklayer, principle, acknowledgeth to }<sup>11</sup>  
owe vnto our so<sup>u</sup> lord the Kinge the sume of . . . . } 20:00

Joseph Eglestone, labourer, surety, the sume of . . . . 20:00

The condition, that if the said Thomas Baxter be of good behavior towards our so<sup>u</sup> lord the Kinge and all his leich people, and appeer att the Court of his ma<sup>ties</sup> the to be holden att Plymouth on the last Tusday in October next, and not deurt the said Court without lycence; that then, &c.

Released.

Joseph Egleston, labourer, principle, acknowledlgh to owe }<sup>11</sup>  
vnto our so<sup>u</sup> lord the Kinge the sume of . . . . } 20:00

Thomas Baxter, surety, the sume of . . . . . 20:00

The condition, that if the said Joseph Egleston be of good behavior towards our so<sup>u</sup> lord the Kinge and all his leich people, and appeer att the Court of his ma<sup>ties</sup> to be holden att Plymouth the last Tusday in October next, and not depart the said Court without lycence; that then, &c.

2)<sup>d</sup> was allowed  
to Edward  
Sturgis for his  
attendanee att  
the Court on  
this occasion.

[\*117.]

\*Att this Court John Woodcocke appeered and John Littlefeild, impow-

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1 June.  
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ered from his daughter, whoe engaged to appeer att the Court to be held att Plymouth in July next, and to bringe the bond with him, and to attend the hearing of the case between Israell Woodcocke and Rebecka Littlefeild, and to abide the judgment of the Court concerning the same.

Nathaniell Hall, of Yarmouth, for vnciuill words and carryages towards Elizabeth Berry, and alsoe for giueing writings to the said Elizabeth Berry to intice her, althō hee had a wife of his owne, was centanced by the Court to pay a fine of fine pounds to the vse of the collonie or be publickly whipt.

John Arther, Mathew Boomer, and John Leyton, being summoned to the Court to answere for their residing in the goūment without order, and not attending the publicke worship of God, liueing lonely and in a heathenish way from good societie, this Court ordereth, that they for the future shall frequent the publicke worship of  $\wedge$ , and liue otherwise orderly, or that they depart the goūment

In like manor, Elias Williams, being summoned for coming into the goūment and not applying himselfe for libertie according to order, hee saying that hee is intended for England, the Court giues him libertie vntill the next October Court to be holden att Plymouth to remaine where he is, and then to depart the goūment; which incase hee neglect, the Court will see cause to remoue him out of the collonie.

Wiltam Wood, of Marshfeild, for speaking contemptuously of M<sup>r</sup> Arnold on the Lords day, in February last, as appeers by the euidence, was centanced by the Court to sitt in the stockes two houres the next training day att Marshfeild.

Robert Crosman, Seni<sup>r</sup>, of Taunton, for abusing the constable in the execution of his office by throwing a sticke att him, and drawing his knife and saying hee could afford to stabb him, was fined the sume of forty shillings to the vse of the collonie.

Thomas Lucas, for being distempred with drinke, it being soe oftens, and that hee hath borne scuerall p̄ticular punishments gradually, and can not be reclaimed, it was ordered con erning him, that all that sell drinke be stricktly ordered and prohibited to lett him haue none.

James Burt, of Taunton, for being distempred with drinke the second time, was fined ten shillings, according to law, to the vse of the collonie.

In answere to a petition prefered to the Court by Benjamine Higgens, in the right of his father, deceased, to be accomodated with land att Saconett with the p̄tenors and servants there, the Court, generally conceiueing that the said Richard Higgens had wronge in that hee was not accomodated in the said land with the rest, scuerall of the p̄tenors, being p̄sent, did engage before the Court,

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that in case the petitioner shall and doe make his adresse to the rest of the companie interested in those lands, that they will pswade them, that altho hee can not be supplied out of the deuided lands of it, that hee may be competently supplied in the vndeuided lands therof.

In answere to the petition of Richard Wright, requesting land in the right of Peter Maycocke, soñtimes a servant in this collonie, the Court sees noe right appeering by vertue of his claime; but as hee hath bin an ancient inhabitant, and hath not bin much considered, and appears to stand in need, haucing children that may imploy land, the Court saith, if hee can find out land that is free and may be graunted, the Court will, vpon intelligence giuen them, consider him according to his condition.

An Order directed to the Comītee of Scittuate.

Gentlemen: John Daman hath complained that you gaue him fifty acres of land, and vpon a suggestion that hee had land on that account before, you drew backe, notwithstanding hee appeared in a list from the Court to be one land was promised to; and therefore wee request and thinke indeed hee ought to be considered, and desire you would soe doe.

Wheras the townes of Taunton and Swansey haue complained that the towne of Rehoboth, haucing run their line, non of those townes being p̄sent, and soe being their owne carners, they haue reason to feare the said line is much to their preiudice, and alsoe that Rehoboth bounds are yett imperfect and can not by them be certainly knowne, this Court doth therefore order, that the said lines between them and the complaining townes be run againe according to graunt of Court between this and October Court next, and that the said adjoining townes haue seasonable notice of the time of their doing it, that they may haue further satisfaction improueing some of their <sup>^</sup>, to see it fairly settled.

[\*118.]

\*In reference to a petition preferred to the Court by John Howland, John Tracey, Josiah Standish, Edward Southworth, Joseph Howland, David Aldin, and Jabez Howland, requesting a supply of land according vnto and by vertue of a Court order which ingageth land to children heer borne and brought vp before strangers, the Court haue ordered, that the lands yett vndisposed of shalbe viewed, and that such of the ancient freemen as haue not bin yett accomodated may be supplied in the first place, and afterward the petitioners to be supplied.

Att this Court, Nathaniel Morton requested the Court to haue libertie to seek out for some accomodation of land for himselfe and in the behalfe of the posteritie of his brother, John Morton, deceased, as being decended of M<sup>r</sup>



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Gorge Morton, deceased, and in reference to his place as being one that hath served the country this many yeers, the Court having considered his predecessor, M<sup>r</sup> Nathaniel Souther, with a considerable tract on that account, the Court ordered, that hee bee considered with such freemen as are abovenamed that may make their addresses to the Court for a supply.

Whereas att a former request and petition of the towne of Taunton, the Court orders, that the line betwixt them and Bridgewater might be run, which notwithstanding hath bin hitherto neglected, and that now the towne of Bridgewater hath petitioned the Court that the said line may now be run, this Court now ordereth, that the line be run according to their graunt between this Court of his ma<sup>tie</sup> to be holden att Plymouth the first Tuesday in July next, and that notice be given to the Treasurer and the time intended, hee being appointed and requested by the Court to assist therein.

The Court have graunted vnto M<sup>r</sup> John Holmes, teacher of the church of Christ att Duxburrow, and vnto M<sup>r</sup> John Smith, teacher of the church of Christ att Sandwich, — to M<sup>r</sup> Holmes in the right of his father, and to the said M<sup>r</sup> Smith for his accomodation, — a certaine tract of land att Pinquine Hole, that is to say, the land of Charles the Indian, bounded on the northsyde by the lands of M<sup>r</sup> Josiah Standish, and Pinquine Hole Riuer on the south, by the sea on the west, and soe extending into the woods; to be equally devided betwixt them in equall and alike proportions, they purchasing it of the Indians.

In reference vnto a difference between some of the purchasers and Wilham Nicarson about title of lands att Mannamoiett, exhibited to the Court, the one by his petition and the other by their remonstrance, given into the Court by Thomas Clarke and Jonathan Banges in the behalfe of severall others, the Court have appointed M<sup>r</sup> Hinckley, M<sup>r</sup> Gorum, and Jonathan Sparrow to sett the bounds of their lands between them, according to the Courts graunt, vnto the freemen that have interest with the said Nicarson therein; and that they take speciall regard that they leave noe vacant lands between their inhabited lands and the sea or water; and if M<sup>r</sup> Hinckley can not attend it, then Captaine Howes to supply his place in it.

And whereas Wilham Nicarson requesteth that their neighborhood att Mannamoiett may be allowed to be a townshipp, the Court conceiues they are not in a capassitie att p<sup>re</sup>sent to manage the affaires of a towne, and therefore for the p<sup>re</sup>sent allow them to haue a deputie, constable and a grandjurymen, which shalbe chosen by the towne of Eastham together with themselves, and in all other respects to remaine and relate vnto the towne of Eastham for bearing their p<sup>ar</sup>te of all other charge, as was settled the last June Court.

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Leifff Morton and Francis Combe are ordered by the Court to lay out a p̄sell of land belonging to the successors of M<sup>r</sup> Prence, deceased, lying att Namassakett, whoe are to doe it according to the Courts graunt.

Jonathan Higgens is allowed and approued by the Court to be ensigne bearer of the milletary companie of Eastham.

Leiftenant Hunt, Ensigne Smith, and M<sup>r</sup> Daniell Smith are appointed and authorised by the Court to take some p̄sent care of the estate of M<sup>r</sup> Willam Blackston, deceased, and off his son now left by him, and to see that the next Court hee doe propose a man to the Court to be his guardian ; which incase hee doe neglect, the Court will then see cause to make choise of one for him.

In reference vnto the petition of Mistris Elizabeth Tilden, wherin shee desires the Court to consider her soc as to order her some relieif out of the estate in her hands for the bringing vp of three of her children, the Court, takinge it into serious consideration, doe allow her out of the estate in her hands twenty pounds for the two last yeers.

[\*119.]

\*The Court doth allow the suūne of ten pounds, besides what is due from Joseph Barstow, for and towards the building of a bridge for foot and horse oner the North Riuer, which bridge is to be parrelll for strength and worke-manshipp vnto the bridge att the Eelriuer.

M<sup>r</sup> Thomas Dexter and Thomas Tupper are appointed by the Court to gather in the minnisters maintainance att Sandwich.

Wheras the Court is informed, that one whose name is John Steuenson, son in law to M<sup>r</sup> Willam Blackstone, late deceased, was very healpfull to his father and mother in their life time, without whome they could not haue subsisted, as to a good healp and instrument therof, and that hee is now left in a low and mean condition, and neuer was in any measure recompenced for his good seruice aforsaid, and that, as is said att least, his father in law ingaged to his mother att his marriage with her, that hee should be considered with a competencye of land out of the said Blackstones land hee then liued on, which hath neuer bin yett pformed ; and forasmuch as the psonall estate of the said Willam Blackston is soc smale and inconsiderable as that hee, the said Steuenson, can not be relieued out of it ; this Court, therefore, on consideration of the p̄mises, doe order and dispose of fifty acres of land vnto the said John Steuenson out of the lands of the said Willam Blackstone, and fiue acres of meddow, to be layed out to him by Ensigne Henery Smith, M<sup>r</sup> Daniell Smith, and M<sup>r</sup> Nathaniel Paine, accordingly as they shall judge meet, soc as it may be most comōdious to him and as little prejudiciall to the seat of M<sup>r</sup> Willam Blackstone as may be.

Concerning Saconessett, in reference to abuses of the Lords day, for the bringing of those misdemeanors to light, it is ordered by the Court, —

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That Barnstable choose one of their grandjurymen out of the inhabitants of Saconest.

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The sume of thirtie five shillings is allowed by the Court vnto John Woodcocke, to be payed to him by John Littlefeild for charges of him and his daughters attendance att the Court to giue testimony in reference to the controvery between Israell Woodcocke and Rebeckah Littlefeild.

Serje: Ephraim Tinkham, for coming into the Court drunke, fined forty shillings.

Samuell Wood, for comitting carnall coppulation with  
his now wife before marriage, fined . . . . . }<sup>n</sup> 5 : 00 : 00

\*Att a meeting of the councell of warr for this jurisdiction, held att Plymouth, the fourth day of August, 1675, —

[\*120.]

In reference vnto a companie of natives now in custody, brought in to Plymouth, being men, weomen, and children, in number one hundred and twelue, vpon seriouse and deliberate consideration and agitation concerning them, the conclusion is as followeth: that wheras, vpon examination, it is found that seuerall of them haue bine actors in the late rising and warr of the Indians against vs, and the rest compliers with them therein, which they haue done contrary to engagement and couenant made and plighted with this colonic, which they haue pfidiously broken, as appeereth further alsoe in that they did not discouer that pnious plott which Phillip, with others, completed against vs, which hath caused the destruction of seuerall of vs, by losse of liues and estates, and still held in danger therby, the pmisses considered as aforesaid, the councell adjudged them to be sold, and denoted vnto servitude, excepting some few of them, which, vpon specciall consideration, are to be otherwise disposed of, and the Treasurer is appointed by the councell to make sale of them in the countreyes behalfe.

Forasmuch as by frequent and sad experience it is found, that selling, &c, of armes and amunition to the Indians is very pnious and destructive to the English, it is therefore ordered, decreed, and enacted by the councell of warr for this jurisdiction, that whosocuer shalbe found to sell, barter, or giue, directly or indirectly, any gun or guns, or amunition of any kind, to any Indian or Indians, and the same legally proued against them, euery such pson or psons shalbe put to death, and in defect of full and legall proffe there, the printed law to take place.

This law is  
rattified and  
confermed  
by the Generall  
Court, Nonen;  
the 4, 1676.

The councell of warr did vnanimously impower our honored Gour, together with such of the councell as can reddily giue him meeting, being

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neare to him, to dismisse and require our forces home againe, as occation may require.

The councell of warr doe impower Serjeant John Tompson and Leiftenant Joseph Howland, to keep the Indian prisonors now att Plymouth, and doe allow them two shillings and sixpence for every day and night, for every man that is or shalbe employed in this p̄sent service.

The councell of warr for this jurisdiction, being mett together att Plymouth the second of September, 1675, to consider of a certaine p̄sell of Indians lately come in to Sandwich in a submissiue way to this collonie, doe find, that they are in the same condition of rebellion as those formerly condemned to seruitude, and doe vnanimously agree that the said Indians, being in number fifty-seauen, are condemned vnto p̄petuall seruitude, and therefore doe heerby order and appointe the Treasurer to make sale of them, for and to the vse of the collonie, as oppertunity may p̄sent.

[\*121.] \*Receiued this 4<sup>th</sup> of July, 1671, of my father in law, John Cowin, of Scittuate, the sūme of five pounds, and is full satisfaction for my portion allowed mee out of my father, Richard Mans estate, by the honored Court of New Plymouth; I say receiued by mee.

THOMAS MAN.

Witnessed by James Cudworth.

Received this 30<sup>th</sup> of October, of my father in law Cowin, five pounds, for the vse of Josiah Man, which hee was to haue, by the Court order, of his father Cowine; wee owne it receiued by vs, Thomas Man and Richard Man, as witnes wherof wee haue heervnto sett our hands.

THOMAS MAN.

The marke of **R** RICHARD MAN.

Timothy White,  
Thomas Pinchen.

Of the order of Court heer intimated in these receipts see in this booke in the year in July, 1671.

Received, the seauenth of June, 1673, of my father in law, John Cowin, one red horse, and is in full satisfaction for five pounds, which the Court ordered him the said Cowin to pay mee as a portion determined by the Court for mee out of my father, Richard Mans estate; I say I haue receiued the said horse, in full satisfaction for the said portion of five pounds. In witnes wherof, I haue heervnto sett my hand.

The marke of **R** RICHARD MAN.

Witnessed by James Cudworth.

*\*Att the Generall Court of his Ma<sup>tie</sup> held att Plymouth, for the Jurisdiction of New Plymouth, on the 4<sup>th</sup> of October, 1675.*

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[\*122.]

**M**AJOR JAMES CUDWORTH was vnanimously chosen and reestablished in the office of a generall or commaunder in cheiffe, to take the charge off our forces that are or may be sent forth in the behalfe of the collonie against the enimie, as occation may require.

And Serjeant Robert Barker to be his leiftenant of his p̄ticulare companie.

Cap<sup>t</sup> John Gorum to be captaine of the other companie, and Ensigne Jonathan Sparrow to be his leiftenant.

Leif<sup>t</sup> John Browne is appointed and impowered by the Court to be cap<sup>t</sup> of the gaurd att Mount Hope.

Generall Cudworth, M<sup>r</sup> Constant Southworth, Cap<sup>t</sup> Freeman, M<sup>r</sup> Laythorp, and M<sup>r</sup> Chettenden were appointed to be a com̄ittee in the behalfe of the country, to take an account of the charges arising by this p̄sent warr.

It is ordered by the Court, that twenty fiue men, well provided with armes and am̄unition, be pressed to be and lye in garrison att Mount Hope, and that the souldiers that are there att p̄sent be forthwith released.

M<sup>r</sup> Thomas Huckens was chosen com̄issary generall of the forces of this jurisdiction.

In reference vnto such emergent charges that haue fallen on our honored Gou<sup>r</sup> the summer past, the Court haue settled and confere on him the prise of ten Indians, of those salvages lately transported out of the gou<sup>r</sup>ment.

The proportions of the sallerics allowed by the Court to the commaunders and com̄on souldiers which haue bin forth on the late expeditions out of this collonie against the Indians, or may be for the future employed on the countryes occasions : —

Imp <sup>r</sup> , to the generall, . . . . .	06: a day.
To a captaine, . . . . .	05: 0 a day.
To a leif <sup>t</sup> , . . . . .	04: 00 a day.
To Cap <sup>t</sup> Mathew Fuller, as surjean generall of the forces of this collonie, and for other good service, p <sup>r</sup> formed in the countryes behalfe against the enimie, in the late expeditions, or which may be done for the future, as occation may require, the Court alloweth him . . . . .	} 04: 00 a day.
To the cap <sup>t</sup> of the gaurd att Mount Hope, . . . . .	04: 00 a day.

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To an ensigne, . . . . .	03 : 00 a day.
To a comissary generall, . . . . .	04 : 00 a day.
To a serjeant, . . . . .	02 : 06 a day.
To a corporall, . . . . .	02 : 00 a day.
To a comon souldier, . . . . .	01 : 06 a day.

The proportions of the souldiers to be pressed out of each towne of this jurisdiction, to goe forth as ocaation may require :—

		{ To the garison att Mount Hope, to be subtracted out of them.	
Plymouth, . . . . .	15	. . . . .	2
Duxburrow, . . . . .	08	. . . . .	1
Scittuate, . . . . .	23	. . . . .	4
Sandwich, . . . . .	16	. . . . .	3
Taunton, . . . . .	20	. . . . .	3
Yarmouth, . . . . .	15	. . . . .	2
Barnstable, . . . . .	16	. . . . .	3
Marshfeild, . . . . .	13	. . . . .	2
Rehoboth, . . . . .	15	. . . . .	2
Eastham, . . . . .	08	. . . . .	2
Bridgewater, . . . . .	08	. . . . .	1
	157		182
		25	157

Memorand : that the Court proclaimed a sollemne day of humilliation, to be obserued by fasting and prayer, which was obserued by their order, on the 14<sup>th</sup> of October, 1675, throughout this jurisdiction, to humble our soules, and seeke and begg the Lords healp in our psent troubles, by reason of the Indians, their psisting on in their hostilitie and barbarous creweltie and outrage against the English.

[\*123.] \*October 4, 1675. It is ordered by the Court, that it shall and may be lawfull to and for any of the comission officers and souldiers in any of our townships, with the advice of their towne counceill, if oppertunitie serue to consult them, or without, if the psent exegeny of an advantage against an enemie present, to prosecute the warr against them, thō it should be without the respectiue townships, as if such officers had a p̄ticulare comission therevnto.

It is ordered by the Court, that during the time of publicke danger, every one that comes to the meeting on the Lords day bring his armes with him, and furnished with att least six charges of powder and shott, vntill further order shall be giuen, vnder the penaltie of 2<sup>s</sup> for every such defect, to be leuiud by

destresse, by the constable, by order of any of the comission officers, for the townes vse.

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It is ordered by the Court, that whosoever shall shoot of any gun on any nessesarie occation, or att any game whatsoever, except att an Indian or a wolfe, shall forfeite five shillings for euery such shott, till further libertie shall be giuen.

This Court, takinge into their serious consideration the tremendous dispensations of God towards the people of Dartmouth, in suffering the barborous heathen to spoile and destroy most of their habitations, the enimie being greatly advantaged therunto by their scattered way of liueing, doe therefore order, that in the rebuilding or resettling thereof, that they see order it as to liue compact together, att least in each village, as they may be in a capassitie both to defend themselves from the assault of an enimie, and the better to attend the publicke worship of God, and minnistry of the word of God, whose carelesnes to obtaine and attend vnto, wee fear, may haue bine a prouocation of God thus to chastise their contempt of his gospell, which wee earnestly desire the people of that place may seriously consider off, lay to hart, and be humbled for, with a sollicitus indeauor after a reformation thereof by a vigorous putting forth to obtaine an able, faithfull dispenser of the word of God amongst them, and to incurrage him therein, the neglect wherof this Court as they must not, and, God willing, they will not pmitt for the future.

Alsoe this Court doth order, that the people of Middleberry doe attend the like course in their rebuilding and resettling, as is ordered for Dartmouth.

And that none shall for the future erect any house or cottage without speciall lycence giuen him, in any place soe farr remote from the publicke worship of God as that they can not comfortable attend the same.

This Court, being informed of the low condition of Aphyia, the relict of John Knowles, of Eastham, whoe was lately slayne in the collonies seruice, towards the releiffe and support of the said widdow and her children, haue ordered to receiue ten pounds out of the proffitts of the fishing att Cape Codd, wherof five pounds to be payed to her this yeer, and the other five the next yeer.

The Court haue alsoe ordered ten pounds to be allowed to Ester, the widdow of Samuell Sampson, of Duxburrow, whose husband was alsoe slayne in the countryes seruice, to be payed five pounds this yeer and five pounds the next yeer, towards the support of herselfe and children.

Att this Court, seuerall Indians of the principall or heads of seuerall places of the southeren Indians, appeered before the Court, desirous to renew a former couenant plighted with this goument, viz<sup>d</sup>, of Paomett, Wequaahutt ;

1675. for Nausett, Lawrance and Francis; for Saquatuckett Richard and Little Robin; for Nubscussett, Hureulus and Sampson; for Mannamoiett, Wasnecksuk; for Wequahutt, Paule; for Mattacheesett, Keencomsett; for the South Sea, Ashawaham; and for Mannomett, Pompaquin, allies Scippague;— these for themselves and their neighbors, and their heirs and successors, the Indians of the places above named did renew their covenant with our collonie, to renew their fidelitie with the English, and to declare it by their\* discovery and deliuering vp all such strange Indians which are enimies to the English, which shall or may att any time come amongst them, and to be reddey to doe such seruice as shalbe required of them in warr against our said enimies; and soe continuing their reall faithfulness towards vs, they were assured by the Court that they shall find like faithfulness and reall respect from vs on all occasions.

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[\*124.]

In answere vnto the petition of Desire Sherman, in reference vnto her husband, William Sherman, Jun<sup>r</sup>, whoe fell destructed in the seruice of the country, the Court allowes vnto her the sume of 20<sup>li</sup>, towards the relieffe of them and their familie, being by reason of great charges and nessesites in great straihtnes.

The rates allowed for the horses prest or employed in the expedition against the enimie att Mount Hope, and places adjacent, viz<sup>d</sup>: fiue shillings for the vse of euery horse that hath bin returned to the owner within one month after the advance on the said expedition, and 10<sup>s</sup> p horse for all that are returned to the owner since the said month, or shalbe returned within 28 dayes after the date heerof, and twenty shillings for euery such horse or mare that shall not be returned within the said 28 dayes, vnlesse there shalbe another horse in steed thereof deliuered within the said time. ¶Att the Generall Court held att Ply<sup>m</sup>, June, 1678, the Court doth interprett this order, that all such as had horses pressed from them for the cōtries service, thō they were not returned vnto them within the said 28 dayes, yett if afterwards any such horse were found, it was to be accompted his from whom hee was pressed, vnlesse some other horse hath bine accepted in steed thereof.¶

September the 7<sup>th</sup>, 1676.

To John Cooke, to be cōmunicated to such of the former Inhabitants of Dartmouth as are concerned heerin.

The councill being now assembled, considering the reason and nessesitie of that order of the Generall Court made the 14<sup>th</sup> of October, 1675, respecting the rebuilding or resettling the towne of Dartmouth, a copy wherof is heerewith sent, and considering withall that all the people of that place, by their deserting it, haue left it to the possession of the enimie, which, through



the good hand of God on the indeauors of this collonie, is now reconered againe out of the enimies hand, doe soe much the more looke att it as a duty incombent on this counceill to see the said order effectually attended, doe therefore heerby prohibite all and euery of the former inhabitants of the said towne of Dartmouth, or their or any of their assignes, to make any enterance on, building, or settleing in any p̄te of the said former towneshipp of Dartmouth, vntill satisfactory securitie be first giuen to the Court or counceill by some of the principall p̄sons heertofore belonging to that place, that the said Court order shall in all respects be attended by them, as the transgressors of this prohibition will answare the contrary att their pill.

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*\*.At the Court of his Ma<sup>tie</sup> held at Plymouth, for the Jurisdiction of New Plymouth, the 27<sup>th</sup> Day of October, 1675.*

27 October.  
[\*125.]

BEFORE Josiah Winslow, Esq <sup>r</sup> , Gou <sup>r</sup> ,	John Freeman,
John Aldin,	Constant Southworth,
William Bradford,	James Browne, and
Thomas Hinckley,	James Cudworth,
Assistants, &c.	

**I**N reference vnto the dispose of the estate of Edward Cobb, of Taunton, deceased, the Court ordered, that his debts being payed, that ten pounds of the said estate be settled and allowed vnto the widdow Mary Cobb, for and towards the bringing vp of her smallest children, and that shee shall haue and enjoy the one third, or one p̄te of three of the proffitts of the house and lands during her naturall life, and the one third of his p̄sonall estate, to haue as her proper right for euer, and for the remainder theroff, that the eldest son shall haue a dubble portion therof, and what is lefte to be equally deuided in equall and alike proportions amongst the other children.

Lres of adminnstration were graunted by the Court vnto Mary Cobb, widdow, to adminnester on the estate of Edward Cobb, deceased.

In reference vnto the dispose of the estate of Sollomon Leanardson, of Bridgwater, deceased, the Court haue ordered, that such p̄ticulars as belong to Samuell Leanardson, the eldest son of the said Leanardson, being firstly sett apart, viz<sup>s</sup>, fifty acres of vpland, lying on the southsyde of Nunckatateesett Riuer, and twenty more adjoyning to it, on the northerly syde therof, and

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twelue acres lyng att the towne of Bridgwater, on which the house standeth, and three lotts of meddow, containing two acres and an halfe, or therabouts, to a lott, and fifty acres of land appertaining to John Leanardson, the second son of the said Sollomon Leanardson, and all debts and dues owing to any from the said estate being first payed, the Court doth order, settle, and distribute the remainder as followeth :—

Viz<sup>y</sup>, that Samuell Leanardson, the eldest son of the said Solloman Leanardson, shall haue a double portion, with what hee hath alreddy receiued from him, of his estate, both real and psonall, according to law, and the remainder to be equally deuided amongst the reste of the children in equall and alike proportions, provided that what any of them haue receiued of their fathers estate be likewise reconed onward to them off their ptes.

This Court haue graunted tres of adminnstration vnto Samuell Leanardson, to adminnester on the estate of Sollomon Leanardson, deceased; and the Court doe request Elder Brett and M<sup>r</sup> Samuell Edson to be supervisors and assistant vnto the said adminnestrator, in things proueing difficult relating to the p<sup>r</sup>mises.

In reference vnto the dispose of the estate of Gershom Cobb, late deceased, the Court haue ordered, that John Cobb, his brother, shall adminnester on the said estate, and when all debts due from the same are fully payed, the said John Cobb, being the eldest brother of the said Gershom Cobb, shall haue a double portion of the said estate, and then the remainder is to be deuided amongst the rest of M<sup>r</sup> Henery Cobbs children, brothers and sisters to the said John and Gershom Cobb, in equall and alike proportions.

In regard that it doth appeer to the Court, that Mistris Elizabeth Tildin, of Scittuate, is much straightened in the bringing vp of her children, inasmuch as there are but smale incomes coming into the estate of M<sup>r</sup> Joseph Tildin, deceased, the Court therefore doth allow vnto her the sume of twenty pounds out of the said estate, of that which is due to the children, for and towards her healp and support, in reference to the p<sup>r</sup>mises.

In reference to the dispose of the estate of Margarett Wells, widdow, of Barnstable, late deceased, the Court haue ordered, that wheras M<sup>r</sup> John Miller and Isacke Chapman came into the Court and claimed interest therein, as being nearly related to her, that they shalbe joynt adminnestrators on the said estate, and when all debts and dues owing to any from the said estate are fully satisfied, the remainder is settled on the said John Miller and Isacke Chapman, in equall and alike proportions, and in case that any difference doe arise between the said adminnestrators relating to the p<sup>r</sup>mises, this Court doth order, (with the concurance and free choise likewise of the said adminnestra-

tors,) that M<sup>r</sup> Hinckley and Leiftenant Laythorp, of Barnstable, shall haue the hearing, settling, and determining of the same, and when the said estate comes to be settled, and appears to be cleare, that then the said adminnestrators, with the advise, consent, and approbation of the said M<sup>r</sup> Hinckley and Leiftenant Laythorp, shall dispose some gratuities to other of the relations of the said Margaret Wells, to be to them as remembrances of her.

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M<sup>r</sup> Nathaniell Paine and M<sup>r</sup> Daniell Smith are appointed and approved by the Court to be guardians vnto John Blackston, the son of M<sup>r</sup> Wiltam Blackston, deceased.

\*1675, October. To the Co<sup>m</sup>ission Officers and Councell of Barnstable. [\*126.]

This Court, considering the publicke imploy of M<sup>r</sup> Hinckley, doe see reason to order that a court of gaurd or watch be kept att his house, especially in his absence on the countryes seruice, with such a convenient number as is or shalbe appointed to attend other places for the same end, in this time of co<sup>m</sup>on danger, as hee shall see cause.

Joseph Burge, for his abusing of the watch att Sandwich, by entering into the gaurd, and assaying to take away a gun, and beating one of the gaurd which opposed him therin, is fined five pound, viz<sup>o</sup>, six shillings to the constable for bringing him to the Court, and ten shillings to John Dexter, the son of Ensigne Dexter, which was beaten as aforsaid, and five shillings a peece to the said Ensigne Dexter and his son, for their coming vp to and attending on the Court, on the said busines, and the remainder of the said five pound to the country. Memorand : that seauen shillings and sixpence is abated of what is due to the country from the said Burge.

Wheras a child is lately borne of Elizabeth Woodward, and that shee accuseth Robert Stedson, Jun<sup>r</sup>, to be the father therof, of which hee can not cleare himselfe, the Court sees cause to take securitie for the payment of what they judge nessesary for the keeping of the child, as followeth : —

Robert Stetson, Jun<sup>r</sup>, and Major James Cudworth, doe stand bound vnto our sou<sup>r</sup> lord the Kinge, joyntly and seuerally, in the penall sume of thirty pounds.

The condition, that in case the said Robert Stedson doe pay or cause to be payed, for and towards the keeping of the child lately borne of Elizabeth Woodward, two shillings a weeke, for the first three monthes, to be payed in corn or mony next after the birth of the said child, and one shilling and six pence a weeke, to be payed in mony or corn, vntill it attaine the age of seauen yeers, if it liue soe longe, that then the aboue written obligation to

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be void and of non effect, or otherwise to remaine in full force, strength, and vertue.

Thomas Lucase, for reviling some deccased majestates, and for being drunke, was sentanced to be whipt att the post, which accordingly was pformed.

New Plymouth, the 20<sup>th</sup> of October, 1675.

Wee, whose names are vnderwritten, being sworne to view the dead body of John Fallowell, doe find that hee was accessory to his owne death, by wilfull going into a deep pond, called Loutt Pond, and drowned himselfe.

sworne,	{	WILLIAM HARLOW,
		ANDREW RINGE,
		BENAJAH PRATT,
		ABRAHAM JACKSON,
		JOHN WATERMAN,
sworne,	{	JOSEPH DUNHAM,
		JONATHAN PRATT,
		JOHN DOTEY,
		CALEB COOKE,
		JOSIAH SMITH,
		FRANCIS CURTICE,
	{	ROBERT BARROW.

6 December. \*A[t] a Meeting of the Councell of Warr for the Jurisdiction of New Plymouth, held att Marshfeild, the sixt Day of December, 1675,—  
[\*127.]

An order directed from the said councell to the seuerall plantations within this jurisdiction, as followeth :—

Gentlemen Souldiers :

The prouidence of God soe disposing that wee are still exercised vnder the callamitie of a warr, and the councells and authoritie of the seuerall colonies resoluing that there is a nessesitie of sending forth a considerable force, with all possible speed, it is desired and required, that each collonie, and enery p̄ticular towne p̄sent their ablest and most suitable men, to be improued in that seruice, and the Gov<sup>r</sup> and Councell of this gou<sup>r</sup>ment request, that our people in the seuerall plantations therof will expresse their woonted chearfulness and currage in ingageing therein; and for your incurragement therunto you may please to take notice, that our Gov<sup>r</sup> is designed to haue the conduct of all the vnited forces, of whose p̄ticular fauor and kindnes you may be well assured, and alsoe that speciall and effectuall care is and shalbe taken, that those that goe

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forth shall in all respects be comfortably provided for, according to the season and service, and that the lands and other profits of the warr, that have bin obtained, or by the blessing of God shalbe gained, shalbe kept as security for the souldiers pay that have bin and shalbe improved, and shall not be sold or disposed but to answer that end. The wor<sup>th</sup> Cap<sup>t</sup> Bradford and Captaine John Gorum are your particular commanders. Such as cheerfully tender themselves to the expedition, or to presse, shalbe looked vpon with singular respect.

By order of the councell,

NATHANIEL MORTON, Secretary.

It is ordered by the councell, that the milletary officers of each towne of this jurisdiction shall, the next day after the army marcheth forth, exercise the one halfe of his companie in armes; and the next day after, the other halfe, and soe euery day after, the one halfe each day to be in armes where the officers shall appoint, vntill further order.

Wheras great damage may aerev to the collonie by the southeren Indians their frequent resort to Plymouth, the councell haue ordered that speedy notice be giuen to those Indians to come noe further towards Plymouth then Sandwich, which shalbe their confine, on paine of death or imprisonment.

The councell of warr haue ordered and appointed Major Cudworth, Cornett Robert Studson, and Isacke Chettenden presse masters, for the pressing of able and fitt men att Scittuate to goe forth on the present expedition against the Indians.

An Order directed to y<sup>e</sup> milletary Comission Officers of this Jurisdiction, as followeth.

Gen<sup>le</sup>: You are heerby required to procure your men pressed to be in a reddines to march, soe as they attaine to meet att Providence on the tenth of December next; and in order therunto, that they randevous on the seauenth of the said month att Plymouth, on the eight att Taunton, att Rehoboth on the 9<sup>th</sup>, and Providence on the tenth as aforesaid; and that you see that they be not onely able and fitt men, but alsoe well fitted with clothing nessesary for the season, and provided with knapsackes and ammunition, according to order, viz<sup>d</sup>, halfe a pound of powder and 4 pound of bulletts to each man. Fayle not.

\*Att a Meeting of the Councell of Warr for the Jurisdiction of New Plymouth, held att Ducksberry on the 30<sup>th</sup> of December, 1675,— 30 December. [\*128.]

A letter received from the commissioners of the United Colonies was presented and read, which occasioned the proceedings following in this page or on this side heer recorded.

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The said Letter transcribed.

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GOVERNOR.]

The comissioners, haucing had full information of the state and condition of the vnitd forces now abroad vpon the publicke seruice, and alsoe vnderstanding the conjunction of the enimie by Phillips coming in with his forces to the Narragansetts, makeing one body with them, they doe agree and conclude, that the Lord calls for speedy and vigorus proceecution of the warr, by succuring those that are alreddy abroad with all mañor of supplies of prouision and amunition, and alsoe by raiseing and sending forth new forces, doe therefore order, that one thousand men more be raised forth with, and euery way fitted and prouided with all manor of prouissions and amunition nessesarie for this expedition, to be raised in such proportions in each collonie as the former were, and to march to such raudevous, and att such times, as shalbe heerafter ordered; and because many of the souldiers uow abrod, p̄tely by wounds and p̄tely by the seueritie of the season, are soe farr disenabled that noe p̄sent onsett can be made vpon the grand body of the enimie, wee doe order, that the generall doe forthwith take all possible care to send those that are soe disenabled to such places as may be most convenient vntill they may be conveyed home; the remainder of the souldiers, that are capable of continuing in the seruice, wee doe order, that they be not disbanded, but detained and garrisoned in places as neare adjacent to the enimie as may be, as shall by the generall and his counsell on the place be judged best for the securitie of the English plantations and the anoyance of the enimie. Further, wee comēd it to the care of the generall and his counsell, that those left in garrison be vnder able and discreet comāunders, and that from time to time speedy information of their owne state and condition, and of the enimies motions, and alsoe p̄ticular and speciall advice of the time when they shall judge most best for the marching of the new raised forces.

By the comissioners of the Vnitd Collonies,

THOMAS DANFORTH, Presedent.  
WILLAM STAUGHTON,  
THOMAS HINCKLEY,  
JOHN WINTHORP,  
WAITE WINTHORPE.

Dated in Boston, December 25, 1675.

On consideration of the contents of this letter, the counsell agreed to procure in a reddines such a proportion of men as is vnderneath entered to be raised in each towne of this jurisdiction to goe forth as aforesaid.

It is ordered by the councell of warr for this jurisdiction, that if any pson, henceforward, being pressed into the countryes service in the expedition against the Indians, and shall neglect or refuse to goe forth on the service, being therunto ordered and required by authoritie, every such pson shall forfeite ten pounds in mony, or the full vallue thereof, to the vse of the towne to which hee appertaineth; but in case noe estate can be found of the said pty to satisfy the same, that then hee shalbe forthwith comitted and suffer imprisonment, soe that it exceed not six monthes.

It is ordered by the councell of warr for this jurisdiction, that if any man, that is ordered by the councell where hee lues to be pressed by the towne councell where hee lues to be pressed, shall leaue his owne towne and goe to another within this collonie, that the constable where hee is, vpon notice giuen him of his absenting himselfe from the presse, that constable is required and shall, by vertue heerof, presse the said pson into the service, and forthwith convey him vnto the constable of the towne to which hee appertaines.

The Proportions of the Souldiers to be raised out of each Towne of this Jurisdiction by Order of the Councell of Warr, as followeth.

Plymouth, . . . . .	11	Barnstable, . . . . .	13
Duxburrow, . . . . .	06	Marshfield, . . . . .	10
Scituate, . . . . .	17	Rehoboth, . . . . .	15
Sandwich, . . . . .	11	Eastham, . . . . .	09
Taunton, . . . . .	13	Bridgewater, . . . . .	07
Yarmouth, . . . . .	10	In all, sixscore and two.	

\*Att a Meeting of the Councell of Warr for this Jurisdiction, held att Marshfield the 29<sup>th</sup> Day of February, 1675, Actes and Orders were made and concluded as followeth:—

Wheras great damage and prejudice may acrew vnto this jurisdiction by the withdrawing of the inhabitants therof in this time of publicke callamitie and trouble, it is therefore ordered by the councell of warr for this jurisdiction, that all the inhabitants seated in this gouernment shall and doe abide in each towne of this collonie to which hee belongs, and not depart the same on pill of forfeiting the whole psonall estate of each one that shall soe doe to the collonies vse, except it be by the specciall order or allowance of the Gov<sup>er</sup>, or any two of the other majestrates; and that it shalbe lawfull for any majestrate of this gouernment, takinge notice of the intensions of any inhabitant of this collonie to withdraw as aforesaid, to make seizure of the psons and such there

1675.

30 December.  
WINSLOW,  
Gov<sup>r</sup>.

1675-6.

29 February.

[\*129.]

1675-6. estates, and to seize all such barques, boates, or carts as shalbe found to be employed in transporting of the goods of such inhabitants intended to withdraw as aforesaid.

29 February.  
WINSLOW,  
Gov<sup>r</sup>.

The Men appointed to be of the Towne Councill in each Towne of this Jurisdiction.

Plymouth :	John Miller,
Nathaniel Morton,	Jeremiah Howes.
Joseph Warren,	Barnstable :
Joseph Howland.	M <sup>r</sup> Thomas Hinckley,
Duxburrow :	M <sup>r</sup> Thomas Huekens,
M <sup>r</sup> John Alden,	M <sup>r</sup> Barnabas Laythorp.
M <sup>r</sup> Constant Southworth,	Marshfield :
M <sup>r</sup> Josias Standish.	Anthony Snow,
Seittuate :	Nathaniel Thomas,
Cornett Robert Studson,	Nathaniel Winslow.
Isacke Chettenden,	Rehoboth :
Edward Jenkens.	M <sup>r</sup> Nathaniell Paine,
Sandwich :	M <sup>r</sup> Nathaniel Cooper,
M <sup>r</sup> Richard Bourne,	M <sup>r</sup> Daniel Smith.
M <sup>r</sup> Edmond Freeman, Jun <sup>r</sup> ,	Bridgewater :
Thomas Tobey, Sen <sup>r</sup> .	M <sup>r</sup> Wilham Brett,
Taunton :	M <sup>r</sup> Samuuell Edson,
James Walker,	John Willis, Sen <sup>r</sup> .
Wilham Harvey,	Eastham :
John Richmond.	M <sup>r</sup> John Freeman,
Yarmouth :	Jonathan Sparrow,
M <sup>r</sup> Edmond Hawes,	Marke Snow.

The said towne councells, together with the comission officers, or the major pte of the whole concurring, shall haue power to order all watches and wardings and garrisons in their respectiue townes, and the setting forth of scouts for the safty of the townes, and to take care that the townes stocke of a<sup>m</sup>unition, to which they belong, may be supplyed, and haue power to call the towne together to make a rate to defray the charge therof as occasion may require, and to dispose the said stocke into such places as they shall judge most convenient ; and whosoener shall neglect or refuse to watch or ward, being required and ordered so to doe, shall forfeite fine shillings for euery default, to be leuied by destresse on his estate, if hee haue any to answare it ; and if



noe estate, then to be sett necke and heeles, by order of the comission officers, not exceeding halfe an houre; and for every neglect of pformance of their duty in watching or warding one houre after the time appointed to sett it, to be fined one shilling; and after the first houre expired, the captaine of the watch shall hier another to watch or ward; and the whole fine of five shillings to be payed by the delinquent; \*and such fines soe gathered shalbe comitted to the comission officers or towne councell to be improved for the supply in the defects in watching and warding abovesaid, and for other nessesary oocations.

1675-6.

29 February.  
WINSLOW,  
Gov<sup>r</sup>.

[\*130.]

It is further ordered by the councell, that the watches shall continew from sun seting vntill the sun rise, and the warding to be from sun rising to sun-setting successiueley, and that none shalbe accepted to watch or ward but with fixed armes and suitable amunition; and incase any doe come without the same, they shalbe returned againe, and the fine of five shillings shalbe speedily exacted.

The councell doe agree, that the souldiers now vnder the presse from the southern townes be att Plymouth on Weddensday, the eight of this instant, in order vnto a further march, and with them 20 or 30 of the southeren Indians, whoe, together with the other whoe are vnder presse, to goe forth vnder the comāund of Captaine Michael Peirse and Leiftenant Samuell Fuller.

The councell of warr now assembled doe comēnd it to the seuerall townshippes in this jurisdiction to make some payment to the souldiers first sent out against the Indians, in pte of what is due to them for that seruice, especially to the poorer sort, whoe need some supply for their families; and the councell doth heerby declare, that such payments made as aforesaid shalbe allowed to the respectiue townes in the generall publicke account when it shalbe orderly settled and proportioned.

The councell of warr now assembled doe order, that the Namassachett Indians be speedily remoued to Clarkes Iland, and ther to remaine, and not to depart from thence without lycence from authoritie vpon paine of death.

Wheras it is judged very nessesary and likely to be beneficiall, that a garrison should be kept att the house of Joseph Barstow, both in respect to the towne of Scittuate and the country, —

The councell doe therefore order, that speedily a garrison be erected and kept att the said house, with about 10 or 12 men; and for the further ordering therof, it is refered vnto the comission officers and towne councell of Scittuate.

March, the 7<sup>th</sup>, 1675.

7 March.

\*In reference vnto the estate of M<sup>r</sup> Gorum, deceased, the Court haue appointed M<sup>r</sup> Hinckley, M<sup>r</sup> Chipman, and M<sup>r</sup> Huckens to take care that such pte

[\*131.]

1675-6.

7 March.  
WINSLOW,  
Gov<sup>r</sup>.

of the said estate which belongeth vnto his youngest children be p̄serued and disposed to them as they come to be of age, according to the agreement.

The Court haue granted libertie vnto James Bell to improue the iland called Quetaquag, att Assowamsett, to plant and sow corn on, and to take in Joseph Wood with him therein, if hee, the said Wood, will, and also other of the neighbors att Tamnton, as the said Bell shall see cause.

Samuell Dunham and Sarah Fallowell, widdow, are allowed by the Court to adminnester on the estate of John Fallowell, deceased.

Joseph Woodworth, plantor, acknowledgeth to owe vnto our sofi lord the Kinge the sume of twenty pounds. The condition, that if Elizabeth Woodworth doe appeer att the Court of his mat<sup>ie</sup> to be holden att Plymouth the first Thursday in June next, to answare the law for comitting fornication either by suffering corporall punishment or otherwise, as the law requires, and not depart the said Court without lycence; that then the said obligation to be void and of non effect, or otherwise to remaine in full force and vertue.

Thomas Roshall, as principall, and M<sup>r</sup> Wilłam Thomas, as surtie, came into the Court, and acknowledged a judgment of fourteen pounds to be due and payable vnto M<sup>r</sup> Constant Southworth, Treasurer, according to a bond bearing date the tenth day of March, 1674.

Lares of adminnistration were granted by the Court vnto Mistris Desire Gorun, James Gorun, and John Gorun to adminnester on the estate of Capitaine John Gorun, deceased.

Experience Michell and Edward Michell appointed by the Court to vse the best care to enquire after and take into their costody the estate of Jacob Michell, deceased, and to make report therof to the Court, that see it may be preferred to the best that may be for the good of his children.

In reference vnto the estate of John Wood, Jun<sup>r</sup>, allies Attwood, late deceased, the Court haue ordered, that Nathaniell Wood, appeering to be his eldest brother, shall haue a double p̄tion of his estate, and that the resedue shalbe deuided amongst the rest of the children of the late deceased, John Wood, Sen<sup>r</sup>, allies Attwood, viz<sup>3</sup>, Isack Wood, Mistris Mary Holmes, widdow, Sarah Fallowell, Abigaill Leonard, Mercye, Elizabeth. and Hannah Wood, allies Attwood, in equall and alike proportions, both for quallitic and quantitie.

Nathaniell Wood was allowed by the Court to adminnester on the estate of John Wood, Jun<sup>r</sup>, deceased.

Libertie of adminnistration was granted vnto Sarah Wood, the wife of John Wood, Sen<sup>r</sup>, deceased, to adminnester on the estate of him, the said John Wood.

Eers of adminnestration graunted vnto Anne Sauory, widdow, to admin- 1675-6.  
 nester of the estate of Thomas Sauory, Seni<sup>r</sup>, deceased.

Samuell and Dauid Wood ordered by the Court to adminnester on the  
 estate of Jonathan Wood, deceased.

7 March.  
 [WINSLOW,  
 GOVERNOR.]

Mistris Anne Torry engaged vnto the Court either to procure and deliuer  
 the sume of ten pounds, to answare the law for her daughter comitting forni-  
 cation, by the next June Court, or to present her daughter before the said  
 Courte to receiue corporall punishment.

Memorand: that the order prohibiting shooting and discharge of guns  
 be put in execution during the time of the warr or vntill further libertie giuen.

\*Att a Meeting of the Councell of Warr for this Jurisdiction att Plymouth,  
 the 10<sup>th</sup> Day of March, anno Doñi 1675, Orders and Conclusions were  
 made and ordered as followeth:—

10 March.  
 [\*132.]

In reference to the forces abroad, the councell haue ordered and doe  
 impower the presedent and such of the councell as are neare vnto him, that  
 incase they shall see reason, by any inconuenience that may appeer to them by  
 theire pmitting the said forces to continew out, they are impowered heerby to  
 require them home againe.

And, further, that incase notice may be giuen from the other Vnited Col-  
 onies to require that our pte of the thousand men should be sent forth, the  
 Goff is heerby requested to send into the Bay, and to respect the case vntill  
 the generallitie of the councell can meet againe.

Memorand: that the order formerly voated prohibiting shooting bee putt  
 in reall and vigorous execution.

In order to the keeping of a garrison att Barstowes, the councell doe  
 order and allow two men, on the cuntryes charge, vntill the army now forth  
 returne him againe.

In reference vnto the offenciue fact of Robert Barker in breaking away  
 from the army when they were on theire march in a mutinous way, and by  
 his example alureing others to come away with him, to the great scandoll,  
 prejudice, and dispragement of the collonie, and in p̄ticularly vnto the  
 comaunder in cheiffe, viz<sup>s</sup>, the generall, —

Forasmuch as, vpon his late examination, hee doth in some measure take  
 to his great offence, the councell doe contance him heerby to be degraded from  
 the honor and office of lieftenant, and to pay a fine of fifteen pounds to the  
 vse of the collonie in currant siluer mony of New England, and to defray the  
 charge of his late imprisonment.

The councell doe alsoe order, that all such as came away from the army

1675-6. with the said Robert Barker, or followed him in a disorderly way, shall likewise forfeite their wages as to that expedition.

10 March.  
WINSLOW,  
Gov<sup>r</sup>.

The Fines of severall delinquent Souldiers.

	n	s	d
Simon Rouse fined . . . . .	01	00	00
Jonathan Winslow, . . . . .	01	00	00
John Hewitt, . . . . .	01	00	00
Daniell Butler, . . . . .	08	00	00
Zacheriah Jenkins, . . . . .	08	00	00
Ephram Allin, . . . . .	08	00	00
William Alline, . . . . .	04	00	00
Zacheriah Coleman, . . . . .	08	00	00
John Nolman, . . . . .	08	00	00
Joseph Coleman, . . . . .	08	00	00
Thomas Coleman, . . . . .	08	00	00
John Rance, . . . . .	08	00	00
John Northy, . . . . .	01	00	00

Released.

‡The constables of Taunton for pressing Joseph Deane, }  
a man unfit to goe forth on service, ‡ . . . . . } 04 : 00 : 00

Released.

‡John Crossman, . . . . . 08 : 00 : 00 ‡  
Thomas Lincon, . . . . . 08 : 00 : 00  
Jonathan Harvey, . . . . . 02 : 00 : 00  
Esra Bourne, . . . . . 02 : 00 : 00

The constables of Bridgewater for pressing Samuell }  
Laythorp illegally, and hce a man unfit to goe }  
forth on the service, fined . . . . . } 02 : 00 : 00

And likewise for not pressing John Willis legally, . . . . . 02 : 00 : 00

Unless the said constable of Bridgewater doe appeer before the Court, and cleare himselfe to the satisfaction of the Court.

[\* 133.]

\*John Smith, the son of Mr John Smith, of Sandwich, }  
for neglecting to goe forth a souldier, notwith- }  
standing his plea of nessesitic of keeping att home, }  
yett fined . . . . . }  
John Fuller, the son of Samuell Fuller, of Barnstable, }  
for the same, notwithstanding his plea, fined . . . } 02 : 00 : 00

Israell Gaunt, twice defectiue, and did not appeer this meeting of the councell, is to be summoned.

Increase Allin, absent, is to be summoned.

Obadiah Butler, absent, is to be warned.

Off Sandwich, five defectiue and wanting of their number the last presse. 1675-6.

Off Bridgewater, five wanting in one presse and foure in another.

In reference to the clearing vp of the case respecting John Smith, Junir, of Sandwich aforesaid, which case was left on inquiry, the constable of Sandwich appeered before the councell, and affirmed that hee made publicke proclamation att Sandwich in reference to the souldiers that they should be supplied with clothes and nessesaries for the expedition, and tendered him, the said Smith, in p̄ticular, seuerall things with which hee might haue bin supplied, if hee had seen cause.

Euery of those fornamed were fined, as aforesaid, for not goeing forth, being pressed; and some of them for neglecting, being constables, to executing their office concerning such, and the townes responsible to pay for not making vp their number of men.

A son of Ralph Jones excused himselfe by reason of his father falling sicke about the time of the souldiers goeing forth.

Wheras the Court, for the incouragement of the souldiers sent forth on the first expedition against the Indians, did order and engage, according to their desire, that they should haue their pay in money or lands; and noe way att p̄sent appeering to raise monyes, doe, therefore, for their satisfaction, order, that certaine tracts of land be assigned, to the value of about one thousand pounds, to be deuided amongst them for the payment of their respectiue p̄tes due vnto them; the said tracts assigned being att Showamett supposed to be neare the value of 500<sup>li</sup>; att Assonett Necke, 200<sup>li</sup>; att Assowamsett, 200<sup>li</sup>; and about Agawaam and Sepecan, one hundred pound; soe as the said tractes shalbe more p̄ticularly viewed and vallued as att money prise, according to such indifferent rates as they might haue bine esteemed worth when the said order was made; and for the better effecting therof, the Treasurer, Major Cudworth, Cornett Studson, and James Walker are desired and appointed to take view therof and make reporte therof to the Court or councell, for the settling of the same att such reasonable rates as to them shall seme meet, to be deuided to the said souldiers, or sold for their pay or discharge of other nessesarie dues occasioned by this warr.

It is alsoe further ordered, that the sume of one thousand pound be assessed on the seuerall townes of this gouernment, to be payed in clothing, provisions, or cattle, att money prise; an indifferent good, ordinary cow being to be vallued att forty five shillings, and other cattle according to that proportion, for the payment of such of the souldiers whose needy condition may call for other supplies more suitable for their families then lands, and such other smale dues to others of them as may be by them desired and judged convenient by those betruisted in the seuerall townes for the management of that

10 March.  
WINSLOW,  
Gou<sup>r</sup>.

1675-6. affaire, together with the defraying such other charges as hath bin occasioned by these warrs according to order. The proportions to the seuerall townes of the said sume of one thousand pounds are as followeth : —

10 March.  
WINSLOW,  
GOU<sup>r</sup>.

ii	
Plymouth, . . . 99 : 03 : 06	Yarmouth, . . . 74 : 15 : 06
Duxburrow, . . . 46 : 11 : 00	Barnstable, . . . 99 : 03 : 06
Bridgewater, . . . 46 : 11 : 00	Marshfeild, . . . 75 : 08 : 00
Scituate, . . . 165 : 09 : 00	Rehoboth, . . . 136 : 19 : 00
Taunton, . . . 92 : 13 : 06	Eastham, . . . 66 : 16 : 06
Sandwich, . . . 92 : 13 : 06	

#### The Warrant.

Wheras your townes pte of the sum of 1000<sup>li</sup>, to be leuid for the defraying the charge of this warr, according to order in that case provided, amounts to the sume of, &c; these are, therefore, in his maties name to will and require you, p̄sently on receipt hecrof, to call your towne together to make a rate for the defraying of the said sume, to be payed in clothing, prouision, or cattle, att the prises in the said order provided, about the middle of May next, according to the Treasurers order, to be disposed to those appointed by the towne councell, or such other order as the Treasurer shall appoint for the ends aforesaid. Fayle not, &c.

[\*134.] \*For the better ordering of the garrisons or places of defence, soe called, in the seuerall towneshippes, the councell of warr doth order, that althō much respect is to be had by those impowered to manage that affaire to accomodate the conveniency and desire of the psons respectiuey concerned therein, yett incase any pson shall stubbornly refuse such reasonable order as shalbe by them appointed him therein, and acte in such wilfull way of his owne as may or shall apparently tend to the ouer throw of himselfe, family, neighborhood, society, or towneshipp wherein hee is scituated or concerned, such delinquent shalbe sumoned to appeer att the next Court to be held att Plymouth after such offence comitted to answare for the same.

29 March.

The 29<sup>th</sup> of March, 1676.

The councell of warr for this jurisdiction ordered as followeth : in referenc vnto a p̄sent exegeneye and straitie that is on vs by reason of the neare approach of our enimies, whoe haue fiered the greatest pte of one of our frontier townes, and that wee haue reason to expect that they may psist on in theire hostilitie, and assault other townes before wee are aware, the councell doe agree and order, that the number of three hundred English souldiers be

raised and pressed out of our collonie, and one hundred Indians, well fitted to goe forth, and to be reddey for a march by the eleuenth of Aprill next. 1675-6.

29 March.  
WISLOW,  
Gov<sup>r</sup>.

The Proportions of Men pressed out of the severall Townes of this Government.

Plymouth, . . . 30	Taunton, . . . 30	Rehoboth, . . . 30
Duxburrow, . . . 16	Yarmouth, . . . 26	Eastham, . . . 18
Scituate, . . . 50	Barnstable, . . . 30	Bridgewater, . . . 16
Sandwich, . . . 28	Marshfield, . . . 26	

It is ordered by the councell, that such youtlies as are vnder the age of sixteen yeers, and notwithstanding are able to pforme service in watching and warding, shalbe required soe to doe, and pforme their duty therein as others, being soe judged by the commanders or towne councell.

Vpon consideration of the late sad and awfull hand of God vpon Rehoboth and other places, by the saluages their murdering, fiering, and destroying, &c, being much advantaged in their crewelltie and hostilitie by the dispersed being of people in each townshippe, soe as on any alarm or assault persons are exposed to hurrey, and indeanor to gett to places of safety with great difficultie and danger of losse of life, and not knowing how soon more of vs may be exposed to like difficulties, the councell doe aduise and recoemend it to the severall townes of this jurisdiction to gather together, as much as may be, into fewer garrisons or places of safty with all speed and the best prudence that may be; and that ten or twelue men be assigned and appointed att least to attend such garrisons; and that the severall townes would take speciall care of their mills, that they may be safe guarded and defended the best they can.

The Treasurer is desired and ordered to procure the bread for the souldiers in a reddines to attend the expedition.

And to procure a competeneye of bullets for the souldiers in their said intended expedition, as hee shall judge meet.

And, likewise, when the surjean appointed to goe forth with the said souldiers shall giue in his account of what hee takes vp to be improved in the said expedition, the Treasurer is to defray the same in the behalfe of the country.

The eleuenth of Aprill, 1676, diuers of the councell appeered and mett together att Plymouth in order vnto proceecution of the said expedition; but many of the souldiers that were pressed came not to goe forth, especially Scituate and Sandwich proued very deficient, which caused a frustration of the whole designe, soe as they did not agree to goe forward in any thinge for publicke good, either for the healep and defence of Rehoboth, then in straites, or otherwise for our offence of our enimie or defence from them, but rather

1676.

11 April.

1676.

11 April.

WINSLOW,  
Gov<sup>r</sup>.

26 April.

[\*135.]

brake vp in a deuision and confusion ; onely a few of the southeren souldiers went out of there way as farr as Middlbery, and returned home.

\*Att a Meeting of the Councell of Warr for this Jurisdiction of New Plymouth, held att the towne of Plymouth the 26 Day of Aprill, 1676, Ordered as followeth : —

Wheras, in this time of our callamitie, wee can not but be in dayly expectation of the Indians there invadeing and assaulting our townes, to the end wee may be in the better posture of defence, and more able to make resistance against the enimie in such case, the councell doth order and require, that the watch be strictly maintained in euery allowed garrison ; and that a ward, consisting of one fift pte of the inhabitants of each towne lyable to the pformance of such duty, shall euery day be in such reddines to make the best opposition and resistance they can both for the townes defence and the aňoying of the enimie ; and that our milletary officers for each day be appointed to make the best improuement of his dayes squadron of men for the ends aforesaid ; and hee that is warned to pforme his duty therein, and shall neglect it, shall forfeite two shillings p day, to be forth with leuied by the constable for the vse of his squadron where the neglect was made ; but for the place where they are dayly to meet, and for the maňor and meathod of there proceedings heerin, it is left to the descretion of the councell and cheiffe officers, and this to continew vntill further order from authoritie.

7 June.  
[\*136.]

*\*.Att the Court of Election holden att Plymouth, in New England, the 7<sup>th</sup> Day of June, Anno Doñi 1676.*

BEFOR Josiah Winslow, Esq̄, Gov̄,	Wiltam Bradford,
John Alden,	John Freeman, and
Thomas Hinckley,	Constant Southworth,
Assistants, &c.	

**J**OSIAH WINSLOW, ESQ<sup>R</sup>, was chosen Gov̄, and sworne.

John Alden,	} were chosen Assistants, and sworne.
Thomas Hinckley,	
Wiltam Bradford,	
John Freeman,	
Constant Southworth,	
James Browne, and James Cudworth,	



Josiah Winslow, Esq<sup>r</sup>, Gov<sup>r</sup>, and }  
 M<sup>r</sup> Thomas Hinckley } was chosen Co<sup>m</sup>missioners.  
 And Cap<sup>t</sup> Bradford the next in nomination.

1676.

7 June.  
 WINSLOW,  
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The Elect Men in each Towne.

Plym :	Edward Sturgis, Seni <sup>r</sup> ,
Leif <sup>t</sup> Morton,	John Miller.
Wil <sup>m</sup> Clarke,	Barnstā :
Wil <sup>m</sup> Crow,	^ ^
Joseph Howland.	Marshfeild :
Dux :	Ensigne Eames,
^ ^	Wil <sup>m</sup> Foard, Seni <sup>r</sup> ,
Scittuate :	Anthony Snow.
^ ^	Rehoboth :
Sandwich :	Ensigne Smith,
^ ^	M <sup>r</sup> Daniell Smith,
Taunton elect :	M <sup>r</sup> Nathaniel Paine.
Richard Williams,	Bridg <sup>w</sup> :
Walter Dean,	Samuell Edson,
Leif <sup>t</sup> Maeye,	John Willis, Seni <sup>r</sup> ,
Wil <sup>m</sup> Harvey,	John Carey.
Samuell Smith.	Eastham :
Yarmouth :	Leif <sup>t</sup> Sparrow.
M <sup>r</sup> Edmond Hawes,	Marke Snow,
Cap <sup>t</sup> Howes,	Jonathan Banges.
Ensigne Thacher,	

The Constables of the severall Townes.

Plym, . . . . .	Gorge Morton, sworne.
Duxb, . . . . .	David Alden, sworne.
Scit <sup>t</sup> , . . . . .	{ M <sup>r</sup> Nathaniel Tilden, } sworne.
	{ James Briggs, }
Sand, . . . . .	Joseph Burge, sworne.
Taunton, . . . . .	{ John Hathwey, sworne. }
	{ William Witherell, sworne. }
Yar <sup>m</sup> , . . . . .	Jeremiah Howes.
Barnstable, . . . . .	Job Crocker.
Marshfeild, . . . . .	{ John Bourne, }
	{ Samuell Sherman. }

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Rehoboth, . . . . . Nathaniel Cooper.  
Eastham, . . . . . John Done.  
Bridgewater, . . . . . John Aimes, Junir, sworne.

\*The Grand Enquest. -

sworn,	{	Serjeant Harlow,	sworne.	{	Arther Howland;
		Wiltam Sabin,			John Crocker,
		Francis West,			Samuell Annible,
		Anthony Perrey,			John Ottis,
sworn,	{	John Rogers,	sworne.	{	John Washburne,
		Serjeant Tinkham,			Benjamin Higgens,
		Elisha Bourne,			John Bryant,
		Kanelme Winslow,			Israell Dean,
		Anthony Frey,			John Hall.
	{	John Carver,			

The Names of the Deputies that serued att this Court.

Leiff Morton,	Mr John Thacher,
Mr Edward Gray,	Leiff Laythorp,
Mr Josiah Standish,	Mr Barnabas Laythorp,
Wiltam Paybody,	Ensigne Eames,
John Cushen,	Anthony Snow,
John Daman,	Mr Nathaniel Paine,
Wiltam Swift,	Mr Daniell Smith,
Steuen Skiffe,	Leifteñ Jonathan Sparrow,
Leiff Macey,	Jonathan Banges,
Wiltam Harvey,	John Willis.
Capñ Howes,	

Surveyors of the Highways.

Plymouth :	Scittuate :
Stenen Bryant,	^ ^
Isacke Cushman,	Sandwich :
Ephraim Tilson, and	^ ^
Mordica Ellis.	Taunton :
Duxburrow :	^ ^
John Rogers, Junir,	Yarmouth :
Thomas Delano.	^ ^

Barnstable :	Rehoboth :
^    ^	Gilbert Brookes,
Marshfeild :	Robert Fuller.
Jonathan Winslow,	Eastham :
Samuell Sprague.	Robert Vixon,
Yarmouth :	Henery Atkins.
John Bryant,	
Samuell Hall.	

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Vpon consideration of the nessesitie of sending forth some forces, to be, by the healp of God, a meanes of our safety and preservation, the Court came to a conclusion and doe heerby voate, that one hundred and fifty English, and fifty Indians, be with the best speed that may be raised and prouided and sent forth towards the frontiere ptes of this collonie, to be vpon motion to scout to and frow for the safty of the collonie; the time appointed of sending forth is on Weddensday, the 21 of this instant June, 1676.

The proportions of the men and mony to be raised for the seting forth in the expedition aforsaid is as following: —

The Proportions of Men.		Mony.	
		l	s d
Plymouth, . . . . .	15	Plymouth, . . . . .	16 : 00 : 00
Duxburrow, . . . . .	09	Duxburrow, . . . . .	09 : 10 : 00
Scituate, . . . . .	25	Scituate, . . . . .	26 : 10 : 00
Sandwich, . . . . .	15	Sandwich, . . . . .	16 : 00 : 00
Taunton, . . . . .	15	Taunton, . . . . .	16 : 00 : 00
Yarmouth, . . . . .	13	Yarmouth, . . . . .	14 : 00 : 00
Barnstable, . . . . .	15	Barnstable, . . . . .	16 : 00 : 00
Marshfeild, . . . . .	13	Marshfeild, . . . . .	14 : 00 : 00
Rehoboth, . . . . .	15	Rehoboth, . . . . .	16 : 00 : 00
Eastham, . . . . .	10	Eastham, . . . . .	10 : 15 : 00
Bridgewater, . . . . .	09	Bridgewater, . . . . .	09 : 10 : 00
	154		164 : 10 : 00

\*It is ordered by the Court and the authoritie therof, that the Gov<sup>r</sup>, or in his absence the Deputie Gov<sup>r</sup>, with any two more of the Assistants, vpon any suddain exegent or emergent occasion falling out wherein more of the councill can not speedily be convened, shall haue as full power and authoritie to presse and send forth men, horses, armes, aṃunitions, and prouissions, and all other nessesaries needfull for the countries service as if the whole councill of warr were convened. [\*138.]

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It is ordered by the Court and the authoritie therof, that euery such pson or psons as refuse or neglect to attend the countryes seruice wherto they are or shalbe pressed by any presmaster or their deputies, by order from any legall authoritie heer established or impowred, shall forfeit five pound, or, in want therof, be compelled to run the gantlett (or both, as the transgression shalbe cercomstanced) for euery such default; and where there is or may be oppertunity for such delinquents timely to declare their resolution not to attend the said seruice, that soe another may be pressed in their sted, and shall neglect the same, shall forfit the sume of five pounds more, to be leuied by destresse on their goods; the said forfeitures to be, the one halfe therof to the country, and the other halfe to the townes wherto such delinquents doe belonge; the said forfeitures being to be leuied in such case as aforesaid, in case a satisfactory reason be not giuen by such delinquents to the Court or councill for such neglect, being forthwith to be brought vp by the constable or his order to their tryall.

It is ordered by this Court, that the comission officers of euery towne, together with the towne councill, or the major pte of the whole, shall haue full power and authoritie to appoint and require any pty or pties of their men as a scout for the descouery or surprisall of the enimic within or neare their respectiue townes, as alsoe for the reliefe of any of their neighbour townes or plantations as occation may require; alsoe, that the comission officer or officers in euery towne are impowred, in case of any suddaine exeigent wherin hee or they cannot haue oppertunitie to aduise with the towne councill, to comaund or lead forth such a pty of men as hath bine before agreed on, or to him shall seeme nessesary, for the present reliefe of any pte of their owne towne or neighbour towne assaulted, or repelling the enimic in his advance thervnto; and that euery such souldier as shall not obey in any of the cases appointed or comaunded as aforesaid, shall forfeite five shillings a day for such his default, to be leuied by warrant from any of the majestrates or celect men of the towne, or be layed necke and heeles, where noe estate can be found, vnlesse such delinquent giue a satisfactory reason to the comaunder and towne councill for such his neglect.

It is ordered by this Court and the authoritie therof, that where the comission officers and towne councill of diuers townes are or shalbe in a consociation or vicenety for their mutuall defence and preseruacion, and haue and shall agree to keep out a standing scout att any place for the comon good of the whole vicenety aforesaid, if any of those townes shall fayle in sending and keeping out the whole or any pte of their men agreed to be on the said scout, shall forfeite to the other townes in vicenitie as aforesaid five shillings for euery

day for euery such man wanting, to be leuied by destresse by warrant from any one majestrate on the goods of such delinquents, or on the goods of any of the comission officers or towne counsell of such defectiue townes, and by them to be recouered by destresse or otherwise on the proper delinquents, the said fines to be improued by the comission officers and towne counsell of any the said townes to promote the said scoute or other publicke service of those townes.

It is further ordered, that where the comission officers and towne counsell of such townes in vicinity as aforesaid haue or shall agree to haue such a p̄te of their men in a reddines to march forth to the relieffe of any of those townes assaulted or in eminent danger to be assaulted, or to surprise or repell any p̄ty of the enimie which may be descouered to lye lurking about any places neare any of those townes, wherby they may haue oppertunitie suddainly to assault them if not preuented, if any such townes shall neglect to attend that seruice, on notice giuen them either by any of the majestrates or any two or three of the comission officers or towne counsell, those townes shall forfeite fīue shilts p man for euery day wanting therein, to be leuied as aforesaid for the publicke vse of the other townes as aforesaid; and if any p̄ticular p̄sons shall refuse to attend the order of their p̄ticular comāunder to march forth as aforesaid, vnlesse a satisfactory reason shalbe giuen to the officers and counsell, shall alsoe forfeite fīue shillings a day for euery such neglect, to be leuied as aforesaid and improued by the comission officers and towne counsell of that place for the publicke seruice of those townes; and it is further ordered, for the better management of such expeditions, that the souldery mett together may chose one to take the conduct of the whole, being one of the comission officers of one of the said townes, whome they shall reddily obey as their comāunder in cheiffe, *in cheife* \*whoe is heerby impowred to acte with the advice of his counsell, the comāunders of the seuerall squadrons, and such other desereet men of his companie as hee shall see cause to aduise with, in surprissall, repelling, psueing, or distruction of the enimie, as occasion and oppertunitie may present, for the mutuall defence of those townes, or any other in destresse, as may be, and these to be his and their sufficient discharge.

It is ordered by the Court and the authoritie therof, that each towne make a rate to pay all their souldiers and officers which haue bin out on the countryes seruice from first to last their full due in such specue as by the last rate for their payment in p̄te was ordered, vnlesse any of them desire rather to stay to haue it in land; and that the seuerall townes bring or send in an account of their p̄ticular distinct disbursments to July Court next, that soe there may be a right proportioning of the whole charge of this warr vpon the seuerall townes.

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It is ordered by the Court, that such as refuse or neglect to procure for themselves, or them that are vnder them, good, fixed armes, fitt for service, within one month after the date heerof, shall haue soe much of their goods leuied by distresse, by warrant from any of the maiestrates, as may procure armes for them, to be procured by the comission officers; and if any such delinquents will not pforme service with their guns when prouided, then they shalbe kept, by the comission officers order, for the vse of them that will serue with them.

It was agreed and ordered by the Court, that ten hogsheds of bread be procured for and towards the expedition intend, and a thousand waight of bullets.

And that the sume of twenty or thirty pounds be improved in the paying of the collonis debts att Rhode Iland.

Mr Hinckley, Mr Freeman, and Mr Huckens are appointed by the Court to take course about the estate of Mr John Mayo, deceased, to make deuision and settlement of the said estate, both with reference vnto his wifes pte and amongst his children, and therein to acte, if it may be, to their satisfaction; and incase they can not, then to make report therof to the next Court, that soe further may be taken for settlement therof.

Mr Daniell Smith,	} were appointed by the Court to take the Treasurers account this year.
Captaine Howes, and	
Leiftenant Laythorpe,	

In reference vnto the estate of John Wright, deceased, the Court haue ordered, that his land att Winnatucksett be settled vnto and vpon Adam Wright, his brother.

The Court haue settled the sume of four pound, which was the peculiare estate of Isacke Wright, deceased, on Richard Wright, his father.

This Court doth order and impower Leif Peter Hunt, of Rehoboth, and Robert Fuller, together with the widdow Sabine, to adminnester on the estate of Nehemiah Sabine, deceased.

This Court order and impower Mr Daniell Smith and Thomas Read, *Paine* of Rehoboth, together with Mistris Rachel Read, widdow, to adminnester on the estate of Mr John Read, deceased.

Leif Jonathan Sparrow and Jonathan Banges are ordered and appointed by the Court to be healfull vnto the widdow Knowles, of Eastham, in managed of the estate of John Knowles, deceased, both in payment of such debts out of the said estate as are due and owing to any from the same, and other wise to be healfull about it as need may require, and to make report therof to the Court.

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Libertie of adminnestration is graunted vnto Adam Wright to adminnester on the estate of John Wright, deceased.

Letters of adminnestration was graunted vnto Jeremiah Burroughes to adminnester on the estate of John Burroughes, deceased.

Letters of adminnestration were graunted vnto Mary Russell to adminnester on the estate of Samuell Russell, deceased.

Adam Wright stands bound vnto the Court in the penall sume of forty pounds. The condition, that wheras the aboue bounden Adam Wright hath obtained of the Court tres of adminnestration to adminnester on the estate of John Wright, deceased, if, therefore, the said Adam Wright doe pay or cause to be payed all such debts and legacyes as are due vnto any from the same, soe farr and by equall proportions as the estate will amount vnto, and be reddey to giue in an account therof to the Court when by them required, and to saue harmles the said Gov<sup>r</sup> and Court from any damage that may acrow to them by his said adminnestration, then the aboue written obligation to be void and of non effect, or otherwise to remaine in full force and vertue.

\*The 28<sup>th</sup> of June, 1676, three Indians — the first named Peter, (Awashunckes, the squa sachems son,) the 2<sup>cond</sup> Gorge, the third David, allies Chohawanna — appeered before the councell, in the behalfe of themselues and other Indians of Saconett to the number of about thirty men, with their wiues and children, and tendered to renew their peace with the English, and requested libertie to sitt downe in quietnes on their lands att Saconett.

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The Examination of the said Indians before the Councell in Reference to the P<sup>r</sup>mises.

Peter, (Awashuncks son,) being asked the reason of their coming hither, answered, because hee and the Indians of Saconett desired to settle there againe; vnto which was replied as followeth: What reason haue you to expect that your request heerin should be graunted, since you haue broken your engagements with vs by joyning with the sachem Phillip att Mount Hope and other Indians, our professed enimies, and haue bin copartenors with them in all assaults and enterprisses against vs, in which said hostile attemptes many of ours haue lost their liues, habitations, and estates? And you must not thinke that wee can passe ouer matters of such a high nature soe shighly. Wee are not willing to vallue the blood of our English frinds att soe low a rate. You are neuer able to make satisfaction for the wronge, nor make good the damage you haue don vs by your pfiduous dealings in this respect. Your way had bine, when you saw the said Phillip and other our enimies to rise vp in rebel-

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lion against vs, to haue declined them and repaired to the English, and placed youer selues vnder our protection, &c.

Then Peter said they had not bin actiue in fighting with the English, but fledd away for feare.

Ques. Why did you feare the English ?

Ans. When the English army went out, wee were afraid, and desired to go ouer to Rhode Iland ; but the younge men there kept such a strict watch that wee could not get ouer in saftey. Then wee were forced to hyde ourselues in swampes ; and the English army came and burnt our houses ; and wee vnderstanding that the Narragansetts were frinds to the English, wee went to them.

Question. Did the Indians burne the English houses before the army came ?

Answer. Yee, they burned theire forsaken houses.

Quest. Did the English doe you any wrong att any time, or speak high or threating words to you that scared you ? Speake freely, without feare.

Answer. The English neuer did vs any hurt or wronge to this day ; if they had, wee would speake of it.

Gorge, another of the three Indians, said, that att the first breakeing forth of the warr, diuers of them satt still and minded theire worke att home ; but some of theire Indians did then goe to Phillip, and fight with him against the English.

Peter and Gorge againe desired the goſment heer to giue them leaue to liue soſmwhere within our liberties, and they would be subject to the English, and desired that the English would propound tearmes, and they and all theire companie would consent to them ; for they had noe cause to be angry with the English, who had don them noe wronge.

To which was answered, Wee haue found you soe pfidious, that wee must haue some good security for youer fidelitie before wee can graunt youer desires.

Chowohumma, allies Dauid, said, Wee cannot make satisfaction for the wronge don ; but if our weemen and children can be oceded, wee will doe any seruiue wee can by fighting against the enimie. They further said, that Succanowassucke was the first man that stired vp the Indians to joyne with Philip to fight against the English, and that hee now is att Saconett ; and they promise to surprise him, if they can, as soon as they returne home ; they owned, alsoe, that diuers of the Saconett Indians were killed in the fight att Narragansett.

After some time of consideration of the foregoing debate, the councill came to this conclusion, that they would returne this answare : —





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Court, this Court, haucing heard and considered their mutuall pleas, doe order, that the said John Doughty shall haue allowed vnto him by the sonnes that enjoy the lands of the said Jacob Cooke pportionable to their respectiue ptes by them enjoyed, either two acres of the marsh lying together out of the six acres lying att Joneses Riuer, or forty shillings in current New England mony, and forty shillings more to him in curent country pay out of the estate belonging to the sisters according to their respectiue ptes, and this to be a final end of the said difference.

Joseph Bartlett stands bound vnto this Court in the penall sume of forty pounds sterling. The condition, that whereas the said Joseph Bartlett hath obtained letters of administration to administer on the estate of Katheren Fallowell, late of Plymouth, widdow, deccased, if, therefore, the said Joseph Bartlett doe pay or cause to be payed all such debts and legacies as are justly due and payable vnto any pson or psous from the said estate, soe far and by equall proportions as the estate will amount vnto, and keep a faire account of the said administration, and be redy to giue in the account vnto the Go<sup>u</sup> and Court of New Plymouth when required, and saue and keepe harmles and vndamnified the said Go<sup>u</sup> and Court from any damage that may acrew vnto them by his said administration, that then the said administration to be void and of non effect, or otherwise to remaine in full force, strength, and vertue.

The 12<sup>th</sup> of June, anno 1676, severall Indians, a pte wherof were sent in by Major Bradford, with others brought in by a smale pty of ours that issued out as scouts, were conuented before the councell, such of them as were accused of workinge vsufferable mischeiffe vpon some of ours.

The first of them in question was a saluage named Wotuchpo, allies Tuchpo, whoe was questioned with three p<sup>t</sup>iculars or articles.

1. Why hee fled out of his confines, which hee was enjoyned to keep on paine of death, wherein if hee obediently had stayed, hee might haue bine safe; to which hee made little answare to ppose.

2. Was in reference vnto his abusing our Go<sup>u</sup> by fraud and falshood, indeauring to pswade him that there would be noe need to send forth an army, forasmuch as Phillips men had deserted him, soe as hee had very few left with him except old men and boyes; to which hee could say nothinge.

3. Was in reference to his goeing too and continewing with our open bloody enimies all the time of the warrs hither vnto, in which time soe many crewill and hostile villanies haue bin acheined; neither could hee defend this.

Att the same time three other Indians appeered before the councell, whose names were Woodcocke, and Quanapawhan, and one called John Num; the

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two former were accused by an Indian squa, that they were present and actors in that bloody murder of Mistris Sarah Clarke, on the 12<sup>th</sup> of March before the date hereof; and these two accused John Num of the same fact; and they all, upon examination, confessed they were present at the committing of that horred murder and outrage, and soe had a hand as coe ptenors therin; the last named, John Num, owned, alsoe, that hee was of that companie that murdered Jacob Michell and his wife and John Pope; and soe cence of death was pronounced against them, which accordingly emediately was executed.

Now, forasmuch as the councell had before this engaged to seuerall Indians, desirous to come in and tender themselues to mercye, that they should find fauor in soe dcing, it was fully made knowne to such Indians as were then present that the said engagement was to be vnderstood with exception against such as by murder as abouesaid had soe acted, and not against such as killed his enimie in the feild in a souldier like way.

\*The three Indians fore named, some little time before their cence, accused Keweenam, an Indian sometimes liueing about Sandwich, that hee was the first instigator of Tatoson to commit the aforsaid murder, viz<sup>o</sup>, that hee went to him and certified him that hee had lately bin att the house of Willam Clarke, att the Eelriuer, and that his house was slightly fortified, and that it was well furnished with nessesaries, and that his way would be to repaire thither now, and that on the Lords day, the folkes of the house being but three, the most of them would be gon to meeting, and they, being there, might descerne it; and in case they left a man att home or soe, they might soon dispatch him, and then they would mett with noe opposition, but might doe as they pleased, on which the night following. (this being on the last day of the weeke,) the said Tatoson went towards Plymouth, and on the morrow following, in the morning about 9 or ten of the clocke, hee with his companie did this crewill villanic.

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On the 21 of July, 1676, the said Keweenam was presented before the councell, and examined on the particulars before named; but hee did not fully owne the said accusation, onely hee owned that hee was att Willam Clarkes house a little before the facte committed, and in companie with Tatoson the day before, which was the Satterday, the said fact being committed on the Lord day following, and further confessed that hee held correspondency with Tatoson, one of the most notorious of our enimies, and had giuen him information of the weaknes of the house, both with respect to fortification and men; and withall it being manifest that hee altogether neglected to giue intelligence to the English where Tatoson was, nor concerning his intensions and actions, which if hee don seasonably, it might haue preuented the following mischeiffe.

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Hee, the said Keeweenam, being required againe to speake, if hee had ought to say for himselfe, hee had free libertie, but said little or nothing to any purpose.

Whervpon the councill, considering that there three positie testimonies whoe witnessed as abouesaid, and with all diuers concurring cercomstances, which haue a tendencye to the clearing vp of the case, doe judge, that the said Keeweenam is worthy to die, and so receiued the centance of death, which was, that his head should shalbe seuered from his body, which was immediately accordingly executed.

The names of those Indians whoe were coepartenors in the outrage committed att Wilkam Clarkes house, att the Eelriuer, in the township of New Plymouth, on the 12<sup>th</sup> of March, 1676.

Imp <sup>r</sup> , Tatoson,	Thoñ Piant,
Musquash,	Sanballett,
Wapanpowett,	Vttsooweest,
Thoñ, Tatasons brothers son,	Woonashenah

These, with such as are before named, make vp the number of eleuen.

A þsell of amũnition deliuered to soñ souldiers lately gon forth was to Marshfeild men 37<sup>ll</sup> of bulletts and 14 pound of powder.

To Duxburren men 23 pound of bulletts.

To Daniell Turner, of Scittuate, 4 pound of bulletts.

The names of such souldiers of Scittuat whoe desired to be satisfied in lands for such seruice as they pformed for the country, with the suñes due to them on that account, is as followeth : —

	ll	s	d
Imp <sup>r</sup> , Leifē Isake Bucke, . . . . .	10	00	00
Zachariah Daman, . . . . .	06	06	01
John Daman, . . . . .	06	05	07
Richard Prowtey, . . . . .	06	12	03
Coñ John Bucke, . . . . .	08	09	05
Jonathan Jackson, . . . . .	06	05	04
Thomas Clarke, . . . . .	05	05	02
Wilkam Hatch, . . . . .	02	01	00
Walther Bridges, . . . . .	05	18	07
Joseph Garrett, . . . . .	05	09	07
Richard Dwelley, . . . . .	11	13	07
Charlse Stockbridge, for Benjamine Woodworth, . . . . .	07	09	00

\*July the 22, 1676. Rates.

	l	s	d
Plymouth, . . . . .	351	03	09
Duxburrow, . . . . .	164	19	00
Scittuate, . . . . .	586	07	04
Marshfeild, . . . . .	266	01	00
Sandwich, . . . . .	327	15	06
Barnstable, . . . . .	351	03	09
Yarmouth, . . . . .	266	01	00
Eastham, . . . . .	236	05	00
Bridgwater, . . . . .	164	19	00
Rehoboth, . . . . .	485	05	04
Taunton, . . . . .	327	15	06
Swansey, . . . . .	165	00	00
	3692 : 16 : 02		

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[\*143.]

Plymouth, the 22<sup>nd</sup> of July, 1676.

It was ordered by the councell of warr, that it shalbe lawfull for any of the majestrates of this jurisdiction to dispose of the children of those Indians that haue come in and yeilded themsclues to the English, vnto such of the English as may vse them well, especially theire parents consenting thervnto, during the time vntill such children shall attaine the age of twenty foure or twenty fue yeers, and the men and weemen to be where they are, or sent to the seuerall townes in some meet proportion of them, where they may haue libertie att p̄sent to worke for their liueings, till some other place be assigned them.

July the 7<sup>th</sup>, 1676.

It was ordered by the Court, that the seuerall townes of this jurisdiction should send in some one of each towne of this jurisdiction to giue meeting to the majestrates on the 19 of this instant July, att Plymouth, to settle their accompts respecting the charges of the p̄sent warr, on paine of forfeiting, euery towne that shall neglect, ten pounds to the vse of the collonie.

The 22<sup>nd</sup> of July, 1676.

The councell haue ordered, that all such vounteers as shall or haue sett forth to oppose the enimie, incase they shall take any prisoners, they bearing the charge of the expeditions, shall haue the one halfe of them for their paines and venture, from the day of the date heerof, including those prisoners alsoe last brought in by Benjamine Church and his companie.

1676.

22 July.  
WINSLOW,  
Gov<sup>r</sup>.

[\*144.]

\*Whereas the last will and testament of Captaine Michaell Peirse, of Scituate, lately slayne on the countryes service, bearing date the 15<sup>th</sup> of January, 1675, was presented vnder oath to this Court, wherein Benjamine Peirse is made executor, this Court, considering the large legacies in the said will giuen, and not knowing whether there will remaine soe much cleare estate, when debts and the widdowes maintainance are discharged out of the same, as will amount to salue the said executors portion, intended by his father, as by the said will is declared, doe therefore order, that the said Benjamine Peirse, executor, shall detain and keep in his owne hand the land mentioned in the said will, bought of Wiltam James, being the one halfe of a six acree lott of meddow, and alsoe one quarter pte of each legacye by the said will giuen, vntill the Court shall see cause otherwise to order it, on thaire being satisfied concerning the clearnes of the said estate, the executor being appointed to pay the resedue of the said legacyes and bequest, according to the will, in the mean time.

These may certify the honored Court, or whom it may concerne, that I, Robert Studson, in the behalfe of my son Robert, and that I, Joseph Woodworth, in the behalfe of my sister Elizabeth, are mutually agreed about the Court's verdict about the maintainance of the child that the said Elizabeth layed to him the said Robert Studson, and doe desire that the said Robert may be sett att libertie.

As witnes my hand,

Witnes,



JOSEPH WOODWORTH.

Charles Stockbridge,  
Jeremiah Hatch.

The Verdict of the Jury on the vntimely Death of Bethyah Howland, the younger, of the Towne of Plymouth, late deceased.

Wee find, that Bethyah Howland, Junir, came to her death by being drowned or stifflled in a tubb of clothes and water, viz<sup>s</sup>, that shee off her selfe cast herselfe into the said tub of clothes and water.

GORGE BONUM,

The marke  of STEUEN BRYANT,  
THOMAS CUSHMAN,  
JOHN COLE,The marke  of EBENEZER TINKHAM,The marke  of JOSIAH SMITH,  
RALPH CHAPMAN,  
ANDREW RINGE,  
ISACKE LEANARD,  
DAUID WOOD,  
SAMUELL CUTBERT.

February the 16<sup>th</sup>, 1677.

1676.

22 July,  
WINSLOW,  
Gou<sup>r</sup>.

Wee, whose names are vnderwritten, being called together on a coroners inquest, vpon that sad accident which befell Micaell Walker, about ten yeers of age, wee doe find, that hee came accidentally to his end by his falling through the flore of the saw mill vpon the water wheele, or just by it, when it was goeing, and was carryed away with the streame vnder the iyce.

STEVEN PAINE, Seni<sup>r</sup>,  
WILLIAM BUCKLAND,  
NICHOLAS PECKE,  
SAMUELL NEWMAN,  
SAMUELL BUTTERWORTH,  
GORGE KINRICKE,  
JOHN FITCH.  
NICHOLAS IYDE,  
SAMUELL PECKE,  
JOHN PERREN,  
SAMUELL READ,  
MOSES READ.

This jury, being pannelled by the constable of Rehoboth, came and made oath to this verdict before mee.

JAMES BROWNE, Assistant.

February 16<sup>th</sup>, in the yeer 1677.

\*Wheras an Indian called Captaine Amos hath made tender to be officious in feeling off such of the Indians that are our enimies as are att Elizabeth Ilands, the councill doe accept of his tender, and doe order him to acheiue the enterprisse with such strength of the Indians as hee shall think meet to improue; and for his and thaire incurragement, it is ordered, that in case they take and bring in Tatoson and Penachason, or either of them, they may expect for thaire reward for each of them four coates, and a coate apece for euery other Indian that shall proue marchantable.

[\*145.]

It is ordered by the councill, that all such Indians as haue or shall come into the collonie in a clandestine way, not applying themselues to the authoritie of this jurisdiction for libertie, shall not expect the benefitt of the indempnitie formerly shewed to other Indians that did come in in an orderly way, but shalbe forthwith taken vp and desposed off, as other captiue Indians, to the collonies vsc.

1676.

22 July.  
WINSLOW,  
Gou<sup>r</sup>.

It is ordered by the councell, that euery towne of this gou<sup>r</sup>ment shall pay their souldiers and officers what is due to them for their seruice against our comon enemie since last June Court, wherein that noe towne may be oppressed, that they bringe in their disbursments vnto the next Generall Court, that soe there may be an equall ballence of charges.

Wheras it is apprehended that the pmission of Indian men that are captiues to settle and abide within this collonie may proue prejudiciall to our comon peace and safety, considering there hath neuer bin any lycence for such soe to doe, it is ordered by the councell and the authoritie therof, that noe Indian male captiue shall reside in this gou<sup>r</sup>ment that is aboute fourteen yeers of age att the begining of his or their captiuity, and if any such captiues aboute that age are now in the gou<sup>r</sup>ment, which are not desposed of out of this iurisdiction by the 15<sup>th</sup> of October next, shall forthwith be desposed of for the vse of this gou<sup>r</sup>ment.

This order was  
confermed by  
the Court, No-  
uember the 4<sup>th</sup>,  
1676. This  
voated.

It is ordered by the councell, that the Indians whoe came in, applying themselves to the gou<sup>r</sup>ment for acceptance to mercye, shall take vp their abode from the westermost syde of Sepecan Riuer, and soe westward to Dartmouth bounds, as they haue occation, and not any of them to goe any where off the aforsaid tract of lands but by order from some majestrate, or hee that is appointed to haue the comāund of them, and to attend such orders and directions as may att any time be sent them from this gou<sup>r</sup>ment, and that for the present three Indians, viz<sup>d</sup>, Numpus, Isacke, and Ben Petanauett, shall haue the inspection of them, and to healep them in their settlement, and to order them the best they can, and that in matters most momentus, to repaire to M<sup>r</sup> Hincley for direction & healpe.

Vpon consideration of the great losses which M<sup>r</sup> Bradford hath sustained in the late warrs, and the faithfull seruice hee hath pformed for the country, the councell doe propose and order, that the sume of fifteen pounds in mony be payed to him out of the cuntryes stocke, to be refered vnto the Generall Court, that if they shall see cause and reason to bestow it freely on him as a gratuity, then soe to be, or that it be accounted to him as pte of his sallery for his seruice to the country.

In reference vnto the complaint of M<sup>r</sup> Wharton and his ptenors concerning a p<sup>r</sup>-sell of Indians detained in this collonie, which ran away, the councell sees reason to allow vnto them six Indians, not to infringe them of more, incase that the comissioners of the Vnited Collonies shall see reason (on p<sup>r</sup>oposition of the case) to allow more.



To the Constable of, &c.

1676.

Septem̄ the 7<sup>th</sup>, 1676. In reference vnto the making vp of accompts with the Vnited Collonies, you are required heerby to acquaint your townē that they are to send in their accompt vnto the Gov<sup>r</sup> to Marshfield, between this date and the 19<sup>th</sup> of this instant, in reference vnto the charges of the last expedition, and euer since June last, concerning the late warrs, as alsoe the charge of such scoutes as haue bin sent out on the countrys service, out of p̄ticular townships, before and since June last.

7 September.  
WINSLOW,  
Gov<sup>r</sup>.

\*. *All the Court of his Ma<sup>ty</sup> held att Plymouth, for the Jurisdiction of New Plymouth, the first of Nouember, 1676.* 1 November.  
[\*146.]

BEFORE Josiah Winslow, Esq̄, Gov<sup>r</sup>,      Constant Southworth,  
John Alden,                                  James Browne, and  
Thomas Hinckley,                         James Cudworth,  
Wiltam Bradford,

Assistants, &c.

**L**RES of adminestration was graunted by the Court vnto Elizabeth Blackmore to adminester on the estate of Wiltam Blackmore, deceased.

And in reference vnto the estate of the said Wiltam Blackmore, the Court haue his lands to be settled on his eldest son, and that all other his estate be settled and disposed vnto the said Elizabeth Blackmore, widdow, for and towards the bringing vp of her children.

Elizabeth Ensigne, widdow, and Thomas Wade, are approued by the Court to be joynt executors of the last will and testament of John Ensigne, deceased.

Lres of adminestration was graunted by the Court vnto John Palmer to adminester on the estate of Samuell Palmer, deceased.

Lres of adminestration was graunted vnto Martha Chettenden and Israell Chettenden to adminester on the estate of Isacke Chettenden, deceased.

Major Cudworth and Cornett Studson were appointed by the Court to be heapful in settling the estate of the said Isacke Chettenden, and incase they settle it to satisfaction, then the Court will rattify what they shall doe therin, or otherwise to determine what shalbe requesite about it.

1676.

1 November.  
WINSLOW,  
Gou<sup>r</sup>.

In reference vnto the settlement of the estate of James Bursell, of Yarmouth, deceased, the Court doe agree that his three daughters are joynt heires therof, both psonall and reall, and doe order, that they shall haue alike proportions therof, made equall with what any of them haue had alreddy, and that the widdow Emmett Bursell shall haue her thirds of the moueables, both goods and chattles, and her thirds of the vse and benefitt of his lands dureing her life, and that the said Emmett Bursell and Silas Saers are granted libertie of adminnestration therypon.

Eres of adminnestration is granted vnto Wiltam Carpenter and Samuell Carpenter to adminnester on the estate of Margarett Carpenter, and to see Joseph Carpentors will pformed according to the tenour therof, and that the lands that the said Joseph Carpenter left, to be disposed of by his wife vnto his three somes, be soe disposed to them, onely the eldest to haue a double portion, and that they, the said Wiltam and Samuell Carpenter, doe likewise dispose off the other children of the said Joseph Carpenter, the best they can for the bringing of them vp.

In reference vnto the estate of John Fuller, of Rehoboth, deceased, the Court haue ordered, that the estate be left vnto the widdowes dispose, to be towards the bringing vp of the children, and that her father and father in law be healpfull to her in ordering of the estate for the bringing of them vp.

Eres of adminnestration are graunted joyntly vnto John Tisdall, James Tisdall, Joshua Tisdall, and Joseph Tisdall, to adminnester on the estate of John Tisdall, Seni<sup>r</sup>, deceased.

Letters of adminnestration is graunted vnto Robert Vixon, of Eastham, to adminnester on the estate of Nathaniel Brewster, deceased.

In reference vnto the estate of Nathaniel Pecke, deceased, the Court haue ordered, that Jonathan Bosworth, Seni<sup>r</sup>, and Samuell Pecke shall adminnester on the said estate, and that there being two children, viz<sup>s</sup>, a son and a daughter, that the son haue a double portion of the lands and the other estate, and the daughter a single pte or share therof, onely that such pte of the estate as shalbe most suitable to the son be disposed to him, and what may appeer to be most suitable for the daughter be appointed to her; onely the Court doth order, that the estate remaine vndeuided to them vntill they come of age, or chose their owne gaurdians.

[\*147.] \*This Court haueing considered the pleas and euidences p<sup>s</sup>ented by Mistris Mary Almey, relict of M<sup>r</sup> John Almey, late of Rhode Island, deceased, for her right in those lands within this collonie, of the said M<sup>r</sup> John Almey, her late husband, doe iudge, although the said euidences doe not fully make

1676.

1 November  
WISSELOW,  
Gov<sup>r</sup>

a legall allianation of those lands from the heire vnto her, yett forasmuch as those euidences declare his intent to giue them vnto the said Mary, his then wife, and doe therefore determine and order, that Mary, the relict of the said John Almey, doe and shall enjoy all the said lands to her proper vse and behoofe, during the tearme onely of her naturall life, vnlesse any further euidences shall appeer justly to alter this determination, and this Court doth alsoe graunt heerby vnto the said Mary Almey letters of adminnestration, to adminnester on that pte of the estate which is within this gouernment.

M<sup>r</sup> Browne is appointed by the Court to giue oath vnto the witnesses of the will of Sampson Mason, and to adminnester an oath vnto Mary Mason for the truth of the inventory.

Thomas Huckens, in the behalfe of Job Crocker, appeered before the Court, and cleared vp to the Courts satisfaction that hee hath adminnestered on the estate of John Crocker, deceased, according to the bond; the Court gaue order to see his bond cancelled.

Letter of adminnestration was graunted vnto Thomas Lapham, of Scittuate, to adminnester on the estate of Joseph Lapham, of Bridgwater, deceased, that is to say, that hee take the said estate into his custody, and p<sup>r</sup>sent a true inventory therof, on oath, vnto the Court, att the next Court, but not further to dispose therof without further libertie from the Court.

This Court haue appointed M<sup>r</sup> Hineckley, or Cap<sup>t</sup> Freeman, to giue oath to the inventory of Richard Saers estate, of Yarmouth, and likewise to adminnester an oath to such as it concernes, for the truth of the inventory of the estate of James Bursell, of Yarmouth, deceased, and alsoe to the will of Richard Saers.

The Court doth graunt tres of adminnestration vnto Daniell Daman, to adminnester on the estate of John Daman, Jun<sup>r</sup>, his brother, deceased, and doe order, that the said Daniell Daman shall haue twelue pound out of the estate, and the remainder of the said estate to be deuided betwixt his brother, Zacheriah Daman, Deborah Woodworth, and Mary Daman, in equall and alike proportions.

Tres of adminnestration was graunted vnto Samuell Hall, of Taunton, to adminnester on the estate of Henry Green, of Taunton, deceased.

Libertie of adminnestration is graunted vnto Joseph Bartlett to adminnester on the estate of Jonathan Fallowell, deceased.

M<sup>r</sup> John Jacob, of Hingham, is allowed and approued by this Court to be gaurdian to John Peirse, the son of Cap<sup>t</sup> Peirse, deceased.

Letters of adminnestration is graunted vnto Mistris Mary Almey to adminnester on the estate of M<sup>r</sup> John Almey, deceased.

1676.

1 November,  
WINSLOW,  
Gov<sup>r</sup>.

[\*148.]

\*The Names of the Deputies that served att the Generall Court of his Ma<sup>tie</sup>, held att Plymouth the last Day of October, and the first of Nouember, 1676.

Leiff Morton,	Cap <sup>t</sup> Hawes, absent,
Leiff Howland,	Leiff Laythorp,
Mr Samuell Saberry,	Mr Barnabas Laythorpe,
William Paybody,	Ensigne Eames,
Cap <sup>t</sup> John Williams,	Anthony Snow,
Jeremiah Hatch,	Mr Nathaniel Paine,
James Walker,	Mr Daniell Smith,
William Witherel,	Tho Paine,
William Swift,	Jonathan Banges,
Steuen Skiffe,	Mr Samuell Edson,
John Miller,	John Willis.

This Court engaged, that Charles Stockbridge and others, of such of Scittuate as listed their names to take their pay in land, shall be payed for their service for the country in money out of the price of those lands which shall be first sold, which is appointed for the payment of souldiers, &c.

Whereas Cap<sup>t</sup> Roger Goulden, of Rhode Island, hath approved himself to be our constant, real friend in the late warr, and very officious and helpful as occasion hath bin, when as our armies and souldiers have bin in those parts, and have had necessity of the transportation of our men to the said island, and otherwise very ready to doe vs good, this Court doth graunt vnto the said Cap<sup>t</sup> Roger Goulden one hundred acres of land, lying and being vpon the northsyde of Saconett mens linne, to him and his heires and assignes for euer.

And inasmuch as Dauid Lake and Thomas Lake have bin very vselfull and seruicable to the country in the late warr, this Court hath likewise graunted one hundred acres of land vnto them, in different proportions to each of them, viz<sup>t</sup>, that whereas Dauid Lake hath bin most helpful as aforesaid, hee is graunted threescore acres of the said hundred, and to Thomas Lake the remaining forty acres of land of the said hundred, to them and each of them, and their heires and assignes for euer.

The said two hundred acres of land is to extend a mile into the woods eastward from Punchatecsett Pond, and soe farr in breadth from Saconett bounds as shall make vp the mile in length, two hundred acres, which being equally devided, Cap<sup>t</sup> Goulding to take the first choise, and the northerly line to be a parralel line, to the line of Saconett bounds, that is to say, east nearest.

And the Court haue appointed Wilłam Paybody, Nathaniel Thomas, and Capł Church, to lay out the abouesaid lands, and likewise twenty acres of land appointed and to appertaine to the ferry.

In regard of the more then ordenary paines, faithfulness, and dilligence, of M<sup>r</sup> Nathaniel Cooper, which hee hath expressed in the countryes service in the late time of the warrs, as late constable of Rehoboth, the Court haue ordered, that hee be releiued and rewarded by the comittee out of that to be provided for the releiff of such as whose deserts and needs requires it from the country.

The Court doe order a ferry to be att Pocassett, to transport people ouer to Rhode Iland, prohibiting any other on that coast, and doe allow twenty acres of land to belonge and appertaine to the said ferrey, for pasture land and planting land, to be laid forth by M<sup>r</sup> Nathaniel Thomas, Wilłam Paybody, and Capł Church, to the best conveniency they can thervnto, and the least prejudice to any other accomodation.

John Simmons is allowed by the Court to keep the said ferrey for the tearme of five yeers from this p<sup>r</sup>sent date, incase hee carryeth well in it, and to injoy the vse of the land abouesaid, and att the end of the said five yeer, incase hee leaues it, the country are to pay him for such housing as hee erects thereon, but incase hee holds it, that it be vpon other composition.

And that hee keep entertainment for strangers, soe as hee keep good order therein.

In answare to the petition of Humphrey Johnson, the Courts returne is, that haueing read the petition, they are sensible that the petitioner is wronged, but for p<sup>r</sup>sent they can not come to a full and cleare vnderstanding of the case, soe as to giue a suitable and proportionable releiffe.

John Cowin is freed from his bonds for appeerance att this Court.

\*It is enacted by the Court, and the authoritie therof, that the Indians which came in and applied themselues to this gou<sup>r</sup>ment for acceptance to mercey, shall take vp their abode from the westernmost syde of Sepecan Riuer, and soe westward to Dartmouth bounds, as they haue occation, and not any of them to goe any where of the aforsaid bounds or tracts of land, but by order from some majestrate of this jurisdiction, or hee that is appointed to haue the ouer sight of them, and to attend such orders and directions as may att any time be directed to them from this gou<sup>r</sup>ment, and that for the p<sup>r</sup>sent, three Indians, viz<sup>o</sup>, Numpas, Isacke, and Ben Sachem, allies Petananuett, shall haue the inspection of them, and to heelp them in their settlement, and to order them the best they can; and that in matters most momentus, they haue recourse to M<sup>r</sup> Hinckley for healp and direction.

1676.

1 November.  
WINSLOW,  
GOU<sup>r</sup>.

See booke of  
lawes, actes, &  
orders, made  
Nouem. '76.

And hee is to  
haue free vse  
of wood and  
timber to be  
vsed thereon  
for fiering,  
fencing, and  
building.

[\*149.]

1676.

1 November.  
WINSLOW,  
Gov<sup>r</sup>.

In reference vnto a negro named Jethro, taken prisoner by the Indians, and retaken againe by our army, which said negro appertained to the estate of the successors of Cap<sup>t</sup> Willett, deceased, our General Court haue agreed with M<sup>r</sup> John Saffin, adminestrator of the said estate, mutually, that the said negro doe forthwith betake himselfe to his former seruice, and to remaine a servant vnto the successors of the said Captaine Willett, vntill two yeers be expired from the date heerof, and then to be freed and sett att libertie from his said seruice, prouided, alsoe, that during the said tearme of two yeers, they doe find him meat, drinke, and apparrell fitting for one in his degree and calling, and att the end of his said seruice, that hee goe forth competently prouided for in reference to apparrell.

Wheras diuers psons of Rhode Iland and others haue, from time to time, droue into and pastured their cattle and horses on the lauds att Pocassett and places adjacent, and oft times in drincing of the said cattle and horses from the said land haue droue and conveyed diuers cattle and horses of other mens, wherby the owners of such cattle and horses haue bine deprived of them, to their great losse and damage, —

For preuention wherof, —

1. It is enacted by this Court, that noe pson whatsoever shall transport any cattle or horses from Pocassett, or places adjacent to Rhode Iland, which shall not first be viewed and their marks by such as the Court shall appoint, and alsoe shall pay to the viewer or viewers one peny in mony p head for euery beast soe viewed, on forfeiture of twise the vullue of the said cattle to the vse of this collonie that shalbe transported contrary to this order.

2. That noe pson whatsoever shall drine or convey any cattle or horses from Rhod Iland, or any other places, to Pocassett or places adjacent, there to pasture them on the land of this collonie leased out by order of this Court, without leaue of the leasers; and if any psons shall soe doe contrary to this order, it may and shalbe lawfull for the said leasers to impound all such cattle and horses, and there to detaine them vntill satisfaction for their treaspas be made according to the law of this collonie.

The abouesaid leassers are Cap<sup>t</sup> Benjamin Church and John Simmons.

3. And it is further ordered, that all such cattle as are kept and pastured in this collonie as aforesaid shalbe lyable to be rated proportionably to what is layed vpon other cattle whose owners line within this goument; and that noe such foraignors cattle shalbe transported out of this collonie vntill such just rates be payed to the aboue said leassers, whoe are heerby impowered to obtaine the same for the countrys vse, as alsoe to vse their best care and

indeauors to preuent the cutting downe or carrying away any of the timber on this collonies lands aforsaid out of the same, by seizing therof or arresting the psons that transgresse therein.

Letters of adminnestration were graunted by the Court vnto Mistris Ruth Winslow to adminnester on the estate of M<sup>r</sup> Jonathian Winslow, deceased.

1676.

1 November.  
WINSLOW,  
Gou<sup>r</sup>.

*\*At the Court of his Ma<sup>tie</sup> held at Plymouth, for the Jurisdiction of New Plymouth, the sixt of March, 1676.*

1676-7.

6 March.

[\*150.]

BE: Josiah Winslow, Esq <sup>r</sup> , Gou <sup>r</sup> ,	John Freeman,
John Alden,	Constant Southworth,
Thomas Hineckley,	James Browne, and
William Bradford,	James Cudworth,

- Assistants.

CONSERNING the settlement of the estate of M<sup>r</sup> Judah Thacher, of Yarmouth, late deceased, the Court haue ordered, that his widdow shall haue the whole proffitts of the estate, both psonall and reall, vntill the children come to theire respectiue ages, for and towards the bringing vp of the children; and when the children come of age, the eldest son to haue the house and halfe the land most convenient to the house, according to the worth of it, and the other son to haue the other halfe of the lands, and his three daughters to haue ten pounds apeece out of the psonall estate, and the remainder of the estate to be the widdowes for euer, and the thirds of the proffitts of his lands during her naturall life onely if need shall require. The Court ordereth, that the two sonnes shall pay fve pounds apeece out of theire estate, to be payed and disposed vnto and for the bring<sup>g</sup> vp of younger children, or vnto the daughters, as the Court shall see cause, and in such convenient time as the Court shall judge meet.

Sarah, the relict of Edward Bobbett, is graunted letters of adminnestration on the estate of her husband, deceased; and in order to the settlement of the estate, this Court doth order, that the eldest son shall haue a double portion of the whole estate, and to take it in lands vnimproued; and the adminnestratrix is to haue during her life the land that is improued, with a thirds of the meddow, as in full of her thirds of the proffitts of the lands, and as a healp to the bringing vp of the children, and a thirds of the goods and chat-

1676-7. tles to her owne dispose, the rest of the estate to be equally deuided amongst the rest of the children.

6 March.  
WINSLOW,  
Gov<sup>r</sup>.

In referrence vnto the settlement of the estate of Job Bourne, late of Sandwich, deceased, intestate, the Court orders, that the debts being first payed, that Ruhamah Bourne, relict of the said Job Bourne, shall haue the vse and proffitt of one third of all the lands hee died possessed of, which are alsoe heerafter mensioned, during her naturall life, and one third of all the mouables, to be att her dispose, together with twenty pounds more out of the mouables towards her charge in bringing vp the smale children, and the residue of the estate to be equally deuided into six ptes, wherof the eldest son to haue two ptes therof, and the other three sonnes and the daughter to haue their equall ptes; the lands being to be deuided amongst three of the sonnes being equally apprised as according to the distinct bounds therof, they are assigned by their grand father, M<sup>r</sup> Richard Bourne, with the consent of the said Ruhamah, their mother, and to be allowed towards their respectiue ptes in such proportions as the vulture therof shall amount vnto; Timothy, the eldest son, to haue the lands following, viz<sup>t</sup>: all the meddow his father bought of M<sup>r</sup> Standish, and halfe the creeke stuffe, with some smale skirts of meddow lying from the bounds of the meddow called M<sup>r</sup> Standish his meddow towards Wecoachett, and halfe the vpland bought with the said meddowes, and halfe the herbage of Mannomett feilds, with halfe the wood and cedar swamps bought by his father, with the priuiledges belonging to the first graunt or bargaine, according to the proportion of his land and meddow. And the other two sonnes, called Eliezer and Hezekiah, to haue the rest of the meddow, being bounded by a marked tree standing about the middle betwixt Cowesett and Muchmanus feild, their ranging southwest to a white oake tree att the head of a little creeke which runneth from Th<sup>o</sup>mas Burgis his meddow next the spring, and soe runs downe the riuier to Jacob Burgis his meddow, and soe to the stake standing in the marsh and to the Red Roocke in the riuier; to be equally deuided between them in equall and alike proportions.

Hezekiah is alsoe assigned to haue six acres on the northsyde of the riuier, which was bought of M<sup>r</sup> Freeman and Joseph Burgis, and six acres more of new ground lying on the easterly syde of the riuier, beginning att the smale run of water and soe downewards, together with the priuiledges therto belonging.

And to the said Timothy and Eliezer is alsoe assigned the land on the westerly syde of the riuier, with the house; the said lands beginning att the riuier aboue by the hills, \*and soe alonge the topp of the hill, vntill it comes downewards to the narrow stoney place, and vnto and in that stoney place,

Of this see another draught more exacte in Booke of Euidences of Lands, enroled folio 74.



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and some cleare ground on the easterly syde of the riuier from the end of the six acres giuen to Hezekiah first aboue mensioned, and thence extending to a little swamp that cometh from the riuier vp to the cartway. And for any other p̄sell of land, not aboue mensioned, it shalbe disposed by the adminnestrators, with the advise of the said Richard Bourne, to such of the children as they shall judge meet; the other son, not aboue mensioned, being to haue his p̄te and portion out of the moueables; the said M<sup>r</sup> Bourne haueing declared his intension to prouide some land for him, and the said Ruhamah, their mother, to haue the vse of the house and one third of the land during her naturall life, as abouesaid, and the vse of the whole estate, besides her twenty pounds and thirds abouesaid, towards the bringing vp of the said children, vntill they shall respectiuely attaine the age of twenty one yeers or the day of marriage, which shall first happen, or the time that any of them shall choose their gaurdians and take their respectiue portions into their hands; Ruhamah, the said relict, and her brother, John Hollott, and Elisha Bourne being graunted letters of administration, vpon their giueing securitie to M<sup>r</sup> Hinckley on the Courts behalfe.

Att this Court, in answare to a petition of John Smith and James Dean refering to the settlement of the estate of John Tisdall, late deceased, this Court doth order, according to the law heer established, the whole estate of the p̄son deceased, both reall and p̄sonall, being equally apprised, shalbe distributed as followeth: to the eldest son a double portion, and to the other three sonnes and four daughters an equall proportion of the whole estate, vnlesse, in case of weaknes, there may be reason to advance to any for their nessesarie supply, respect being had to what each child hath already receiued of their late fathers estate, which shalbe accompted in p̄te of their portion, being aded to the accompt of their fathers estate; and for the better execution heerof, M<sup>r</sup> James Browne and Wilfam Harvey, Richard Williams and Leiftenant Gorge Macey are appointed a com̄ittee to take notice of the whole estate, with their apprisments, and claimes of what each child hath had and receiued in p̄te of their portions, and are heerby impowered to heare and determine all such cases that may be p̄sented to them refering to the said estate, and to make retorne to this Court respecting the p̄mises.

Furthermore, in reference vnto the controuersy amōst the children of John Tisdall aforesaid, deceased, the Courts advice is, that concerning the two younger sonnes, in regard that they haue approued themselues to be faithfull in the p̄seruation of the estate since their fathers death, in spending much of their time therin to the indangering of their liues, that they be considered

1676-7. by the committee in the distribution and disposition of the said estate in that respect.

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Whereas Leiftenant Sparrow and Jonathan Banges were ordered by the Court to admimester on the estate of John Knowles, of Eastham, deceased, this Court doth, vpon the desire of the said p̄ties, release them from their bonds giuen to the Court on that accmpt; and on consideration that Steuen Wood, Juni<sup>r</sup>, hath marryed the relict of the said Knowles, this Court doth graunt letters of adminnestration to the said Steuen Wood to admimester on the said estate, hee giuincg securitie to the Court concerning his said adminnestration; and because the said estate is impaired by the said John Knowles his purchase of lands in his life time, this Court orders, that such lands as haue bin soe purchased may be by the said Steuen Wood sold, and the prise improved for the defraying of the said debts.

[\*152.]

\*This Court, Thomas Clapp, of Deadham, appeered before the Court, claiming himselfe to be heire vnto the estate of Eliezer Clapp, his brother, deceased; and the Court being well satisfied that hee is the eldest son of Deacon Thomas Clapp, of Scituate, wherfore the Court doe order, that it be signified vnto Samuell Clapp, that they require his appeerance att the Court of his ma<sup>tie</sup> to be holden in Plymouth in June next, then and there to giue an accmpt of his adminnestration, and in the mean time that hee doe forbear to dispose of any of the lands of the said Eliezer vnlesse all the psons concerned therin doe otherwise agree.

Letters of adminnestration are graunted by the Court vnto Mary, the relict of M<sup>r</sup> Judah Thacher, deceased, and vnto M<sup>r</sup> John Thacher, and to Nathaniel Hall, to admimester on the estate of the said Judah Thacher, deceased.

Letters of adminnestration is graunted by the Court vnto John Hanmore, Juni<sup>r</sup>, to admimester on the estate of John Hanmore, Seni<sup>r</sup>, deceased.

Letters of adminnestration was graunted vnto Constant Snow, and Marke Snow, and John Snow, to admimester on the estate of Nicholas Snow, deceased.

Letters of adminnestration is graunted by the Court vnto the wife of Moses Symons, Juni<sup>r</sup>, to admimester on his estate.

Letters of adminnestration is graunted by the Court vnto Samuell Hunt to admimester on the estate of Thomas Hunt, deceased.

Letters of adminnestration is graunted by the Court vnto Mary Bartlett & Joseph Bartlett to admimester on the estate of Robert Bartlett, deceased.

In reference vnto the will of Sampson Mason, tendered vnto the Court, whereas it doth appeer that some p̄cells of land haue bin purchased since his will was made that are not yett payed for, this Court hath ordered, that his widdow, Mary Mason, shall haue libertie from the Court to make sale of some p̄te of the said land to make payment for the rest, and that what remains be improued for the bringing vp of his children. And M<sup>r</sup> Browne, M<sup>r</sup> Daniell Smith, and her brother Butterworth are deputed by the Court to be healpfull to her in the disposing of the said estate.

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In reference vnto the inventory of the estate of James Reddaway, Jun<sup>r</sup>, deceased, the Court haue ordered, that incase James Reddaway, Sen<sup>r</sup>, father of the said Reddaway, doe make noe matteriall objection against John Reddaway his adminnestration on the said estate betwixt this date and the Court to be holden att Plymouth in June next, that then hee may haue letters of adminnestration graunted to him to adminnester on the said estate.

Letters of adminnestration is graunted vnto Major Cudworth to adminnester on the estate of John Laythrope, of Scittuate, deceased.

Wiltam Gifford and his wife, for comitting fornication before marriage or contract, fined each fve pounds to the vse of the collonie.

\*In answare to the petition prefered to the Court, by Sandwich men, for the remoucing an acte of Court bearing date the 30<sup>th</sup> of October, 1672, whereby, notwithstanding there absence and not yett being heard in point of plea, that acte determines an alteration of the bounds between Sandwich and Barnstable townes, and giues some of the petitioners lands to the Fullers, and therby a barr putt to the free passage of law and justice, this Court therefore orders, that it be signified to both those townes by there agents, if they see cause, to appeer next Court to be held next June att Plymouth on the first Tuesday therof, and especially that Captaine Fuller and Samuell Fuller, Sen<sup>r</sup>, haue notice therof, then and there to make there defence why that acte should not be reversed.

[\*153.]

Samuell Dunham, Sen<sup>r</sup>, aged fifty yeers or therabouts, and John Rickard, Sen<sup>r</sup>, aged 50 yeers or therabouts, being deposed, doe testify, that vpon an agreement between Grigory Williams and Richard Willis, the said Grigory Williams did agree, that the said Richard Willis should haue deliuered to him three pounds siluer mony, attached in M<sup>r</sup> Edward Grayes hand, and a hyde and a barrell of mackerell, which was likewise the estate of the said Williams, attached, should be deliuered to the said Richard Willis, to end all accompts and differences between them from the begi<sup>n</sup>ing of the world to February last past before the date heerof; vpon the deposition of the p̄ties aboue mensioned

1676-7. the action comēnced by the said Willis against the said Williams was with-  
drawne.

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In reference vnto a kettle appertaining to James Walker, Juni<sup>r</sup>, taken away by Jerrud Talbutts souldiers, but not returned, the Court haue ordered, that the said souldiers shall forthwith make payment of 31<sup>s</sup> enrrant siluer mony of New England vnto the said James Walker or his order, in full satisfaction for the said kettle.

The order and distribution of this collonies p̄te of the contribution made by diuers Christians in Ireland for the releiffe of such as are impouerished, distressed, and in nessesitie by the late Indian warr, was, as it respects this collonie, proportioned as followeth:—

	ii		{ Leiff Morton, } appointed
Plymouth, .	08 : 00 : 00 . .	{ Joseph Warren, } to distrib-	{ Wiltam Crow, } ute it.
Duxburrow, .	02 : 00 : 00 . .	{ Mr Josiah Standish,	{ Wiltam Paybody.
Scittuate, .	12 : 00 : 00 . .	{ Major Cudworth,	{ Cornett Studson, and
		{ Edward Jenkins.	
Taunton, .	10 : 00 : 00 . .	{ Wiltam Harvey,	{ James Walker,
		{ John Richmond.	
Swansey, .	21 : 00 : 00 . .	{ Mr Browne,	{ John Butterworth.
Middle Berrey, .	04 : 10 : 00 . .	{ Francis Combe,	{ Isacke Howard.
Eastham, .	00 : 10 : 00 . .	Captaine Freeman.	
Yarmouth, .	00 : 10 : 00 . .	Mr John Thacher.	
Barnstable, .	03 : 00 : 00 . .	{ Mr Huckens,	{ Barnabas Laythorp.
Dartmouth, .	22 : 06 : 00 . .	{ John Cooke,	{ John Smith,
		{ John Russell.	
Rehoboth, .	32 : 00 : 00 . .	{ Mr Nathaniel Paine,	{ Leiff Hunt,
		{ Mr Daniell Smith.	
Marshfeild, .	02 : 00 : 00 . .	{ Ensigne Eames,	{ Anthony Snow.

Bridgewater, . 07 : 00 : 00 . . . { Elder Brett,  
Deacon Willis,  
Mr Samucl Edson.

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This Court ordereth, that such of the majestrates as haue disposed of any of the Indians children to English masters vntill they attaine the age of twenty four or twenty fve yeers of age, according to order of Court in that case prouided, shall signe indentures for such as are soe disposed, to prevent future differences.

Att this Court, the lycence granted vnto Edward Sturgis, Seni<sup>r</sup>, to keep an ordinary att Yarmouth, was called in, and hee required to desist.

\*Att this Court, M<sup>r</sup> Daniell Smith is authorised and impowered by the Court to adminnester marriage in the liberties of the towne of Rehoboth, and to graunt summons and warrants vnto the tryall of actions, and alsoe incase of misdemeanor, and to adminnester oathes to witnesses relateing thervnto, and to graunt subpenaies for witnesses to giue euidence vnto the grand enquest as occation may require.

[\*154.]

Lycence is graunted by the Court vnto Edward Rew to keep an ordinary att Taunton for the entertainment of strangers and traucellers, and that hee constantly prouided with nessesaries for the same, and that hee keep good orders in his house, that soe noe abuse be suffered by him on that accompt.

#### The Inditement of Mary Ingham.

Mary Ingham : thou art indited by the name of Mary Ingham, the wife of Thomas Ingham, of the towne of Scituate, in the jurisdiction of New Plymouth, for that thou, haueing not the feare of God before thyn eyes, hast, by the healp of the diuill, in a way of witchcraft or sorcery, malliciously procured much hurt, mischeiffe, and paine vnto the body of Melhittable Woodworth, the daughter of Walter Woodworth, of Scituate aforesaid, and some others, and p̄ticularly causing her, the said Mehittable, to fall into violent fitts, and causing great paine vnto seuerall p̄tes of her body att seuerall times, soe as shee, the said Melhittable Woodworth, hath bin almost bereaued of her senses, and hath greatly languished, to her much suffering therby, and the procuring of great greiffe, sorrow, and charge to her parents; all which thou hast procured and don against the law of God, and to his great dishonor, and contrary to our soū lord the Kinge, his crowne and dignitie.

The said Mary Ingham did putt herselfe on the tryall of God and the cuntry, and was cleared of this inditement in processe of law by a jury of twelue men, whose names follow : —

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sworn.	}	Mr Thomas Huckens,	}	sworn.	Marke Snow,
		John Wadsworth,			Joseph Bartlett,
		John Howland,			John Richmond,
		Abraham Jackson,			Jerud Talbutt,
		Benajah Pratt,			John Foster,
		John Blacke,			Seth Pope.

The jury brought in not guilty, and soe the said prisoner was cleared as abouesaid.

Att this Court, likewise, three Indians, named Timothy Jacked, allies Canjuncke, and Nassamaquat, and Pompacanshe, were indited for murdering John Knowles, John Tisdall, Seni<sup>r</sup>, and Samuell Attkins; the said Indian prisoners did put themselues likewise on the tryall of God and the country according to the manor of the English, and had due processe in law, according to the English manor, by a jury of twelue men, whose names follow : —

Mr Thomas Huckens,	Marke Snow,
John Wadsworth,	Joseph Bartlett,
John Howland,	Samuell Jenings,
Abraham Jackson,	Arther Howland,
Benajah Pratt,	Samuell West,
John Blacke,	Seth Pope.

The verdict of the jury followeth concerning Timothy Jacked, allies Canjuncke, and Nassamaquate : Wee find they are very suspisious of the murder charged on them.

And in reference vnto Pompacanshe, wee find nothing against him. There not appeering further evidence against them to cleare vp the case, the centance of the Court was, that the two former were to be sent out of the country speedily, and the other likewise, as hee is prisoner taken in warr.

[\*155.] \*Att this Court, Mamanuett, an Indian sachem att or about Saconett, appeered before the Court, and cleared it vp to good satisfaction, that himselfe and his men, in number fifteen, had, during our late troubles, continewd faithfull to the English, and some of his men had all the time bin in our service, and therefore desired that hee and they might now againe returne to repoesse their lands not formerly disposed of; the which the Court graunted, and ordered him to giue vs a list of his men and two or three more of his kindred, that were alsoe allowed to liue; and this Court requires him to haue

a constant care and inspection ouer them, and to see that they carry faithfully and orderly, and not to entertaine any other Indians there but such as the Court shall allow of.

And forasmuch as this collonie haue bin att great charge to defend both his lands and our owne against the common enemie, hee ingageth to accomodate some Englishman, or entertaine some Indians such as the Court desireth, on that account.

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The Names of the Indians belonging to Mamanuett whoe haue approued themselves faithfull to the English during the late Rebellion, besides himselfe and Family.

Contachoho,	Tokissimo,
How Doe Yce,	Josanam,
Pachnuatoo,	Tokoesquintee,
Suchquotaunmuch,	Aweepanish,
Jacke Hauens,	Muckasunke,
Pasuckquekquoh,	Pawmett,
Gorge,	Aquistausuncke.

Here follows the names of those whoe haue libertie to returne to Mamanuett: Hewaquin, Anumpas, Steuen, Apamach, Old Thomas.

Libertie is graunted vnto eight of the souldiers, Indians, which haue bine in the seruice, may sit downe and plant att Saconett, Cap<sup>t</sup> Church accomodateing them with land on condition that they shalbe redy to march forth vnder the command of Cap<sup>t</sup> Church when hee shall see cause to require them for the further psueing and surprising our Indian enemies; hee, satisfying the Indians, shall haue the whole proffitt of such an adventure.

Wheras att June Court, 1674, William Hatch and Jeremiah Hatch made their appeerance, as being chosen to the office of constables and refusing to serue, craued libertie to make their addresse to the Generall Court, in order to the getting off their fine; and though they were att the Generall Court, yett made noe application vnto the Court respecting the fines; wherefore this Court doth order their fines for neglecting to serue in the office of constable to be collected and gathered.

Wce, whose names are vnderwritten, being impannelled on a jury the 29<sup>th</sup> of July, 1676, by M<sup>r</sup> Nathaniel Tilden, the constable of Scittuate, to view the corpes of Joseph Ellis, of Scittuate, by intelligence vnderstanding that hee went in to the harbour att Scittuate, to swim or wash himselfe, with

1676-7. John Vaughan and Daniell Hicke, Juni<sup>r</sup>; whoe doe affirme, that the said Ellis made the first motion soe to doe, and tosing past his depth, cryed for healp; and the said Vaughan did the best hee could to healp him, but could not saue his life; and wee judge, that the water in the said harbour was the sole meanes of his death.

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sworne,	{	ISACKE CHETTENDEN,
	{	SAMUELL WITHERELL,
	{	JOHN BARKER,
	{	THOMAS PENCHEN, Juni <sup>r</sup> ,
	{	EDWARD JENKENS,
sworne,	{	RICHARD CURTICE,
	{	DANIELL HICKES,
	{	THOMAS JENKENS,
	{	THOMAS WADE,
	{	JOHN BAYLEY,
	{	THOMAS NICHOLLS,
	{	JOHN DAMAN, Seni <sup>r</sup> .

[\*156.] \*Wee, whose names are vnder written, being impannelled and sworne to view the corpes of John Rose, late of Marshfeild, and to make dilligent inquiry how hee came to his vntimly death, wee find, that on the 13<sup>th</sup> of this instant February, hee, being a guñing, was ouercome by the violence of the weather, which was the cause of his death.

sworne,	{	WILLIAM THOMAS,
	{	JOHN CARUER,
	{	NATHANIELL WINSLOW,
	{	WILLIAM FOARD,
	{	JOHN BRANCH,
sworne,	{	JOHN ROUSE, Juni <sup>r</sup> ,
	{	SYMON ROUSE,
	{	JOHN REED,
	{	RALPH POWELL,
	{	SETH ARNOLD,
	{	ISRAELL HOLMES.

The verdict of the jury, whose names are vnder written, concerning the death of one Robbinson: Wee find, by the relation of John White, and Edward Wanton, Juni<sup>r</sup>, and Job Chamberline, that the fall of a tree in Scituate, neare the land of Edward Wanton, was the occation or meanes of his



death, finding vpon his body seuerall wounds and bruises, according to the relation of

JOHN TURNER, Junir,  
 JOHN TURNER, Senir,  
 WILLIAM PARKER,  
 JEREMIAH HATCH,  
 THOMAS TURNER,  
 THOMAS PERREY,  
 JOSEPH WOODWORTH,  
 JOHN NORFHEY,  
 JONATHAN TURNER,  
 JAPHETT TURNER,  
 JOHN TURNER,  
 BENJAMINE WOODWORTH.

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Wee, whose names are heer vnder written, being required, in his ma<sup>ties</sup> name, by James Briggs, constable of Scittuate, to serue in the crowners inquest and on the body of John Merritt, and haucing don our dutyes therin, wee apprehend the occation of his death was falling on the rockes att a place called Ceder Point, att Scittuate Harbour, March the first, 1676.

JOHN WILLIAMS,	} all sworne.
SAMUELL JACKSON,	
RODULPHUS ELLMES,	
JAMES DOUGHTIEY,	
JOHN ALLIN,	
JOSEPH WHITE,	
JOHN BRIGGS,	
STEUEN VINALL,	
ISRAELL CUDWORTH,	
THOMAS WADE,	
THOMAS PENCHEN,	
ISRAELL CHETTENDEN.	

The Oath to the Jury after they had giuen in their Verdict vnder their Hands, taken the third of March, 1676.

You and euery of you call the euerliuing God to witnes, that vpon your dilligent serch and serious view of the body of John Merrett, and by the best light and information you can obtaine either from psons or thinges, that what is aboue expressed in your verdict is most probable to be the cause

1676-7. and meanes of bringing him to his vitiſſimly end; and this you testify to be according to your best vnderstanding and deſcretion, as you looke for healep from God, whoe is the God of truth and the puniſher of falſhood.

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Taken before mee.

JAMES CUDWORTH, Assistant.

Jabez Hackett hauing bin examined by the Court, and hath confeſſed that hee detained and concealed ſeueral goods belonging vnto Miſtris Mary Winslow, of Boston, which are ſuppoſed to haue bin ploynded, the Court haue ordered, that all ſuch goods ſhalbe forthwith returned to the ſaid Miſtris Winslow or her order, and that hee, the ſaid Jabez Hackett, ſhall pay vnto the collonie a fine of forty ſhillings to the vſe of the collonic, or to be ſett in the ſtockes att Taunton.

And if there is any goods appertaineing to the ſaid Miſtris Winslow, or any other, in the hands of the ſaid Jabez Hackett, the Court hath ordered, that all ſuch goods be required and kept by the conſtable of Taunton vntill any make appeer that they haue right to them, and vntill hee ſhall haue further order from the Goſſ to deliuer them.

In reference vnto a gun preſſed for an Indian called Iſacke for the countreyes ſeruiſe, which gun was pawned by the Indian, and ſince ſold to John Tompſon by the Treasuſer, the Court haue ordered the ſaid Indian to pay the ſumme of ten ſhillings to the ſaid John Tompſon, vpon his demaund, in ſiluer mony, or fifteen dayes worke in defect thereof.

[\*157.]      \*Receiued by mee, Samuella Clapp, of Scituate, as adminneſtrator to the eſtate of Eliezer Clapp, ſomtimes of Barnſtable, of M<sup>r</sup> John Ottice, of Sittuate afoſaid, the ſumme of ſeauen pounds in current ſiluer mony of New England, and is in p<sup>t</sup> of a bill of eleuen pounds thirteſen ſhillings and four pence from the ſaid John Ottis vnto the ſaid Eliezer Clapp, which ſaid bill beareth date May, 1677.

I ſay, received by mee.

SAMUELL CLAPP.

Dated att Plymouth, the 8<sup>th</sup> of May, 1677.

Receiued by mee, Samuella Clapp, of Scituate, as adminneſtrator to the eſtate of Eliezer Clapp, deceased, of M<sup>r</sup> John Ottis, of Scituate, the ſumme of eleuen pounds thirteſen ſhilli & 4<sup>d</sup>, in current ſiluer mony of New England, which was payable by bill to Eliezer Clapp in May laſt paſt before the date heeroſ. I ſay received by mee.

SAMUELL CLAPP.

Dated att Plymouth, the 8<sup>th</sup> of May, 1677.

Samuell Clapp, adminnestrator to the estate of Eliezer Clapp, late of Barnstable, deceased, gaue in this account therof to the Court of New Plymouth the eight of June, 1677 :—

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The estate cr. inventoryed, . . . . .	106 : 10 : 11
The estate is debtor to seuerall psons att Barnstable } and Scituate payed by the said adminnestrators, . . }	10 : 16 : 00
To Serjeant John Thompson, last yeer, . . . . .	20 : 00 : 00
To Serjeant John Thompson, the eight of June, . . .	20 : 00 : 00
To his charges expended about his adminnestracion 36 } dayes, . . . . . }	05 : 00 : 00
Rest credit, . . . . .	50 : 14 : 11

Wherby it appears all the psonall estate is expended, and 9<sup>li</sup> 5<sup>s</sup> 1<sup>d</sup> due out of the lands mensioned in the inventory vnto the said adminnestrator, whoe is impowered by the Court to receiue of John Otlice that debt of 11<sup>li</sup> 13<sup>s</sup> 4<sup>d</sup>, due by bill to the estate, to be payed next May, it being alreddy discharged by the adminnestrators in the aforsaid, though not receiued by him, the said estate alsoe remains debter.

To pay next yeer to John Tompson more as appeers } due by bond, . . . . . }	20 : 00 : 00
Item, and more claimed by Thomas Clapp, Seni <sup>r</sup> , for } monyes lent the said Eliezer, . . . . . }	22 : 00 : 00

\*.At the Court of Election holden att the Towne of Plymouth, for the Jurisdiction of New Plymouth, the fift Day of June, 1677.

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**J**OSIAH WINSLOW, ESQ<sup>R</sup>, was chosen Gou<sup>r</sup>, and sworne.

John Alden, Thomas Hinckley, Major Wilham Bradford, John Freeman, Constant Southworth, M <sup>r</sup> James Browne, Major James Cudworth,	} were chosen Assistant in gofiment, and sworne.
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Goſſ Winslow,  
Mr Thomas Hineckley, } were choſen Comiſſioners.  
Major Bradford the next in nomination.  
Mr Conſtant Southworth was choſen Treasu-  
rer, and ſworne.

## Celeſt Men.

Plym̄ :	Mr John Miller,
Leifſ Morton,	Mr Jeremiah Howes.
Serjeant Harlow,	Barnſtā :
Mr Wilſam Crow.	Leifſ Laythorpe,
Duxb̄ :	Mr Barnabas Laythorp,
Mr Joſiah Standiſh,	Mr Thomas Huckenees.
Mr Samuell Saberry,	Marſhcō :
John Traye.	Anthony Snow,
Scitſ̄ :	Mr Nathaniel Thomas,
John Cuſhen,	Samuell Sprague.
John Bryante, Seni <sup>r</sup> ,	Rehoḃ :
Leifſ Iſacke Bucke.	Leifſ Hunt,
Sand̄ :	Mr Nathaniel Paine,
Mr Edmond Freeman, Juni <sup>r</sup> ,	Mr Daniell Smith.
Wilſam Swift, Seni <sup>r</sup> ,	Eastham :
Thomas Tupper.	Jonathan Sparrow,
Taunton :	Marke Snow,
Leifſ Mace,	John Done.
Wilſam Harvey,	Bridgḡw̄ :
Richard Williams,	John Willis, Seni <sup>r</sup> ,
Walter Dean,	Samiell Edson,
Samuell Smith.	John Carey, Seni <sup>r</sup> .
Yarmouth :	Swanſey :
Mr Edmond Hawes,	John Allin, Seni <sup>r</sup> ,
Edward Sturgis, Seni <sup>r</sup> ,	Mr Nicholas Tanner,
Mr John Thacher,	Leifſ John Browne.

## Grand Enqueſt.

Mr John Cuſhen,	Richard Curtice,
Andrew Ringe,	Enſigne Leonard,
Experience Mitchell,	Esra Perrey,
Phillip Delano,	Wilſam Witherell,
Benajah Pratt,	John Whilden,

Gurshom Hall,	Noah Mason,
John Crocker,	Daniel Done,
Samuell Annible,	John Carey,
Justus Eames,	Zacheriah Eedey,
Nathaniell Winslow,	John Nyc.
John Titus, Seniꝛ,	

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Constables.

Plymouth, . . . . .	Jonathan Barnes.
Duxbuꝛ, . . . . .	Edward Southworth.
Sit̄, . . . . .	{ John Turner, Juniꝛ, son of Humphery Turner, Thomas Jenkens.
Sand, . . . . .	James Pursuall.
Taun̄, . . . . .	{ Thomas Gilbert, Joseph Hall.
Yarñ, . . . . .	John Hawes.
Barnstā, . . . . .	Samuell Hinekley, Seniꝛ.
Marsh, . . . . .	{ Isacke Little, Ralph Powell.
Rehob, . . . . .	{ Thomas Cooper, Juniꝛ, Samuell Carpenter.
Eas̄, . . . . .	Thomas Mulford.
Bridḡw̄, . . . . .	John Feild.
Swansey, . . . . .	John Thurburrow.

Deputies.

Plym̄, . . . . .	{ M <sup>r</sup> Edward Gray, Leif̄ Joseph Howland.
Duxb, . . . . .	{ M <sup>r</sup> Josiah Standish, Wiltam Paybody.
Scit̄, . . . . .	{ Cornett Studson, John Bryant, Seniꝛ.
Sand, . . . . .	Wiltam Swift.
Tauntō, . . . . .	{ Wiltam Harvey, Leiftenant Macey.
Yarñ, . . . . .	{ M <sup>r</sup> John Miller, M <sup>r</sup> Jeremiah Howes,
Barnstā, . . . . .	{ M <sup>r</sup> Huckens, M <sup>r</sup> Barnabas Laythorpe.

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Marsh, . . . . .	{ Anthony Snow, Mr Nathaniel Thomas.
Rehoḅ, . . . . .	{ Mr Nathaniell Paine, Mr Daniell Smith.
Easth, . . . . .	{ Capt Jonathan Sparrow, Marke Snow.
Bridḡw̄, . . . . .	John Willis.
Swanḡ, . . . . .	Samuell Luther.

## Surveyors of Highwaies.

Plym̄, . . . . .	{ Leif Morton, Serj. Harlow, Mr Crow.
Duxbū, . . . . .	{ Gorge Partrich, Peter West, Robert Barker, Seni <sup>r</sup> .
Scitḡ, . . . . .	{ Chart Stockbridge, John Witherell.
Sand, . . . . .	{ Peter Gaunt, William Gifford.
Tauntō, . . . . .	{ Thomas Linkolne, Isacke Dean.
Yarñ, . . . . .	{ William Eldred, John Ryder.
Barñ, . . . . .	{ John Dauis, Seni <sup>r</sup> , William Throop.
Marsh, . . . . .	{ John Foster, John Bourne.
Rehoḅ, . . . . .	{ Steuen Paine, Juni <sup>r</sup> , John Butterworth.
Eastham, . . . . .	{ Jonathan Banges, John Done.
Bridḡw̄, . . . . .	{ Marke Laythorpe, John Howard.
Swanḡ, . . . . .	{ Israell Pecke, John Crabtree.

[\*159.]

\*Att the motion of Mistris Jane Gilbert, of Taunton, and of her eldest son, John Gilbert, this Court doth order, that forasmuch as her husband, Mr

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Thomas Gilbert, is said to be deceased beyond the sea, that Leiftenant Mace, William Harvey, and Samuel Smith to take an inventory of the estate of Mr Thomas Gilbert, and that the said Jane Gilbert shall present it to the Court to be holden at Plymouth in July next, that the Court may deuid and settle the estate amongst the children.

In reference vnto a petition preferred to the Court by Sandwich men for reversing of an order of Court about bounds of lands between Barnstable and Sandwich, after a longe discourse about it, the Court concluded in the negative, viz<sup>t</sup>, that the said order shall not be reversed.

In reference vnto the cure of Jabez Gorum, whoe was wounded in the late warr, the Court doth apprehend, that in case it be not payed by some of Rhode Iland concerned in it, that they judge the charge of the said cure should be defrayed out of the generall estate of Captaine John Gorum, deceased, both lands and moueables.

Mr Browne is appointed by the Court, with the consent, likewise, of Elizabeth Beares, widdow, to dispose and make distribution of the estate of Richard Bullocke, her first husband, amongst the children of the said Bullocke, according as hee shall judge meet for the good of the said children.

A Receipt appointed to be recorded.

Received of Benjamine Nye and Steuen Skiffe, agents for the towne of Sandwich, and on their accompt, the sume of fifty pounds, and is in full of what is owing from this towne vnto ours vpon ballance of accompt ordered by the councill of the collonie of New Plymouth. Wee say, received, this second of February, 1676, in the behalfe of the towne of Barnstable.

p nosse,

THOMAS HINCKLEY,  
THOMAS HUCKENS,  
BARNABAS LAYTHORPE.

Witnes, John Laythorp,  
Nathaniell Hatch.

The Generall Court, now siting this 7<sup>th</sup> of June, 1677, desire the elders of the severall churches in this collonie to giue their resolution to the following query, viz<sup>t</sup>: What are those due bounds and lymetts which ought to be sett to a tollaration in matters of religion as may consist with the honor of Christ, the good and welfare of the churches and of the ciuill gouernment?

7 June.

Wheras our Court formerly appointed John Simmons to keep the ferrey at Pokassett, forbidding all others to ferry ouer any people and cattle there, and being informed that some others doe carry ouer people or cattles, or both,

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to the prejudice of the aforesaid ferryman, and alsoe to ourselues, or may soe prone to be, this Court doth therefore order, that whosocuer shall either ferry ouer psons or cattle, vnlesse by and vnder the aforesaid Simmons, shall for euery such offence pay a fine of fiue shillings vnto the said John Simmons, the one halfe to the collonie and the other halfe for himselfe ; which if hee or they soe offending shall refusse or neglect to pay, that then the said Simmons shall, after the first transgression, seize vpon any boate or vessell improued soe in ferrying contrary to order, the one halfe for the vse of the collonie, the other halfe for the vse of the said John Simmons.

Cap<sup>t</sup> Church is appointed by the Court for the precincts of Saconett and Pocassett to issue out warrants against any pson or psons for the prophanation of the Sabbath or other vicious practices contrary to the lawes of this go<sup>v</sup>ment, to answare the same the next Court after the transgression comitted, att Plymouth, and to end differences arising among the Indians there, alsoe to see that they demean themselues orderly.

Adminnstration is graunted vnto Robert Fuller and Nicholas Iyde, Seni<sup>r</sup>, and Mary Fuller, on the estate of Samuell Fuller.

And to Rebeckah Hunt, and to Steu<sup>n</sup> Paine, Juni<sup>r</sup>, to adminnester on the estate of Peter Hunt, Juni<sup>r</sup>.

[\*169.]

\*It is ordered by the Court, that M<sup>r</sup> Constant Southworth, Cornett Robert Studson, M<sup>r</sup> Daniell Smith, Wilkam Paybody, and M<sup>r</sup> Nathaniel Thomas, and Thomas Huckens are appointed a comittee to heare the just complaints and demaunds of all such psons to whom the collonie is in any way indebted relatinge to the late warr with the natiues, and that all such psons doe giue or send in an account of the same vnto the said comittee on the last Weddensday of this instant June to Plymouth ; which comittee shall make report of the same to the next adjournment of this Court, that soe the collonies debts may be knowne to the Court.

In reference vnto the estate of John Cole, deceased, the Court doth order, that forasmuch as the estate is but smale, and four smale children to bringe vp, that the whole psonall estate shalbe settled on his widdow for the bringing vp of the children, and the proffitts of the lands vntill the children come of age ; and incase there shalbe nessesitie therof for the bringing vp of the children, that then some of the lands shalbe sold by further advice and leaue from the Court ; and incase any lands shalbe left, that then it be disposed to the two sons, according to law, they paying some smale legacyes to the daughters, as the Court shall order.

Richard Marshall, of Taunton, and Ester, his wife, } n s a  
stand bound vnto the Court joyntly and scuerally in } 60 : 00 : 00  
the penall sume of . . . . . }



The condition, that wheras the said Richard and Ester Marshall haue obtained letters of adminnestration to adminnester on the estate of James Bell, deceased, if, therefore, the said Richard and Ester Marshall shall and doe pay, or cause to be payed, all such debts and legaeyes are *are* due and owing to any from the said estate soe farr and by equall proportions as the estate will amount vnto, and alsoe the childrens portions, according to order of Court, and saue and keep harmles the said Goſt and Court from all damage that might acrew vnto them by their adminnestration, and keep a faire accompt therof, and make returne therof vnto the said Court when by them required, that then the said obligation to be void and of none effect, or otherwise to remaine in full force, strength, and vertue.

In reference vnto the dispose of the estate of James Bell, deceased, the Court haue ordered, that the said Esther Marshall shall haue the desposall therof vntill the child is brought vpp, and the proffitts of the lands, and then the said Ester to haue the thirds of the psonall estate and the thirds of the proffetts of the lands, according to law.

These to impower and authorise Thomas Lake as the cheife marshalls deputie of the jurisdiction of New Plymouth, viz<sup>s</sup>, to serue such warrants and giue such summons as shalbe in his maties name directed vnto him from the Goſt or any of the majestrates of this jurisdiction, or from Cap<sup>t</sup> Church, for the seizeing or apprehending any pson or psons that transgreese any law or order of this collonie, and to present them before the next Court after the fact convicted, and to be proceeded with according vnto law.

Mistris Elizabeth Ellis and Mordica Ellis doe heerby stand bound vnto the Court, joyntly and seuerally, in the penall suime of one hundred pound sterling, for the payment wherof well and truely to be made on condition that the said Elizabeth Ellis and Mordica Ellis, haueing obtained l<sup>tr</sup>es of adminnestration to adminnester on the estate of John Ellis, Juni<sup>r</sup>, of Sandwich, late deceased; if, therefore, they, the said Elizabeth Ellis and Mordeca Ellis, doe pay or cause to be payed all such due debts as are due and owing vnto any from the said estate soe farr and by equall proportions as it will amount vnto, and otherwise adminnester on the said estate accordingly as the Court shall order for the disposing therof, and saue and keep harmles the said Goſt and Court from any damage that may acrew vnto them by their said adminnestration, and keep a faire accompt therof, and be reddey to giue in the same into the said Court when by them required, that then this obligation to be void and of none effect, or otherwise to remaine in full force, strength, and vertue.

\*This Court doth allow and approue of Lydia Standlake, the wife of Richard Standlake, of Scittuate, to be gardian vnto her two sons, John Bar-

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stow and Jeremiah Barstow, of Scittuate aforsaid; and shee is heerby impow-  
ered to demaund, recouer, and receiue a legacy giuen vnto each of them, the  
said John Barstow and Jeremiah Barstow, by Micaell Barstow, late of Water-  
towne, deceased, as appeers by his last will and testament; shee haueing giuen  
occuritie to the Court to deliuer the said legayes to each of them, the said  
John and Jeremiah, when they come to be of the age of twenty and one yeers,  
and legally demaunded.

The constables of Taunton now in being are required by the Court, that  
when a p̄sell of iron shalbe attached by them for the defraying the rate for the  
souldiers wages, that they require Ensigne Thomas Leanard, or James Lean-  
ard, to draw it forth into marchantable barrs.

Wheras complaint is made of Gorge Barlow, that hee carryes very  
turbulently in Sandwich, threatening to make such further disturbance as  
will driue their minnester away, the Court haue ordered, that a warrant  
be sent for him to appeer att the next Court to answare the said com-  
plainant.

In reference to the dispose of the estate of Joseph Lewis, the Court haue  
ordered, that Mary Jenkins, the relict of the said Joseph Lewis, shall haue  
all the mouables of the said estate, and the vse of the lands, for and towards  
the bringing vp the children vntill they come off age; and when they are of  
age, that the eldest, being a son, shall haue a double portion therof; and when  
her children come of age, that they pay vnto their mother five pounds, the  
son to pay two p̄tes of three therof.

Letters of administration are graunted to the said Mary Jenkins to  
adminnester on the said estate *estate*.

In reference vnto the dispose of the estate of John Merritt, deceased,  
the Court haue ordered, that Elizabeth Merrett shall haue the improuement  
therof vntill the children come of age, for and towards the bringing of them  
vp; and when the children come of age, that then the estate shalbe deuided  
according to law, viz<sup>d</sup>: the said Elizabeth to haue one p̄te of three therof, and  
the eldest son to haue a double portion; the remainder to be deuided to the  
children in equall and alike proportions.

In reference vnto the dispose of the estate of Robert Jones, deceased, the  
Court haue ordered, that his wife that was shall haue a thirds of the profitts  
of the lands during her life, and a thirds of the mouables now inventoried to  
her owne dispose, and the other two thirds of the mouables, with what shall  
further come to be inventoried, to be for the payment of the debts; and  
incase that they will not extend fully to cleare the debts, that then the lands  
shalbe sold for the payment therof, as the Court shall see cause to order.

Att the Court holden att Plymouth for tryall of actions, the 3<sup>th</sup> of July, 1677, for tryall of actions and settleing of estates, and &c, —

Martha Daman, of Scituate, appered, viz<sup>d</sup>, the relict of John Daman, Seni<sup>r</sup>, deceased, and doth, with Arther Howland, of Marshfield, stand bound vnto the Court joyntly and generally in the sume of 400<sup>li</sup>.

The condition, that wheras the said Martha Daman, the relict of John Daman, Seni<sup>r</sup>, and Arther Howland, haue obtained h<sup>er</sup>es of adminnestration to adminnester on the estate of the aboue named John Daman, if, therefore, the afore named Martha Daman and Ather Howland doe pay, or cause to be payed, all such debts as are due and owing to any pson or psons from the said estate, and dispose otherwise of the same according to order of Court, and saue and keep harmles & vndamnified the Godd and Court of Plymouth from any damage that may acrew vnto them by their adminnestration, and keep a faire accompt therof, and giue it in to the said Court when thervnto required by them, that then the aboue written obligation to be void and of none effect, or else to remaine in full force and vertue.

Letters of adminnestration is graunted by the Court vnto Martha, the relict of Serjeant John Daman, of Scituate, and vnto Arther Howland, of Marshfield, to adminnester on the estate of the said Serjeant John Daman; and they haue giuen securitie to the Court for their said adminnestration.

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WINSLOW,  
Gou<sup>r</sup>.

*\*.Att the Court of his Ma<sup>tie</sup> held att Plymouth for the Tryall of  
Actions and Causes, the third of July, 1677.* [\*162.]

BEFOR Josiah Winslow, Esq <sup>r</sup> , Gou <sup>r</sup> , and	John Freeman,
John Aldin,	Constant Southworth,
Willam Bradford,	James Browne, and
Thomas Hinckley,	James Cudworth,
Assistants, &c.	

**L**ETTERS of adminnestration was graunted vnto Robert Fuller, of Rehoboth, and Nicholas Ide, Seni<sup>r</sup>, on the estate of Samuell Fuller, of Rehoboth, decess.

Letter of adminnestration was graunted by the Court to Rebecka Hunt and Steuen Paine, Juni<sup>r</sup>, to adminnester on the estate of Peter Hunt, Juni<sup>r</sup>, of Rehoboth, deceased.

Ruth Sprague, the relict of John Sprague, of Duxburrew, late deceased,

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doth heerby assure, assigne, allott, and make ouer vnto the Goſſ and Court of Plymouth all and singulare the lands the said John Sprague died possessed off, with all and singulare the appurtenances appertaining thervnto or to any þre or þsell therof; and shee, the said Ruth Sprague, widdow, doth heerby likewise stand bound vnto the Court of Plymouth aforsaid in the penall summe of forty pound sterling; for the payment wherof, well and truely to be made, shee heerby bindeth herselfe, her heires, executors, and adminnestrators, feirmly by these þsents.

The condition of the aboue written obligation is such, that wheras the aboue bounden Ruth Sprague hath obtained of the Court letters of adminnestration to adminnester on the estate of John Sprague, of Duxburrow, late deceased, if, therefore, the said Rath Sprague doe pay, or cause to be payed, all such debts as are due and owing vnto any from the said estate soe farr and by equall proportions as the estate will amount vnto, and saue and keep harmles the Goſſ and the said Court from any damage that may acrew vnto them by her said adminnestration, and keep a faire accoumpt therof, and be redy to giue in the same when thervnto required by the said Court, that then the aboue written obligation to be void and of none effect, or otherwise to remaine in full force, strength, & vertue.

Gorge Barlow, being summoned to this Court, appeered to answare for his turbulent carryage att Sandwich, and for his threatening to make such further disturbance as would driue there minnester away, vpon examination, the said Barlow owned that hee had spoken such words respecting the þmises as were witnessed against him, but saith hee spake them in passion, and vpon an apprehension of great prouocation, withall professeth that it is contrary to his judgment and former practice, and doth not justify his said words, and doth ingage, that for the future he wilbe willing, according to his abillity, to afford such support towards M<sup>r</sup> Smithes maintainance as reason may require, and likewise that hee will incarrage others to doe the same, and for such þticulars as hee hath deeply resented, and were soe offensive to him as aforsaid, hee will in-deanor to bury them in obliuion.

The Court, vpon consideration of what before written concerning Gorge Barlow, in hopes that hee will make good his engagements, with admonition released him, and pased ouer the aforsaid offences.

In reference to the complaint of M<sup>r</sup> Edward Sturgis, Sen<sup>r</sup>, of Yarmouth, that his house hath bin robed, and a considerable þsell of mony, about eight pounds, was taken away, and an Indian named Nopye, being þsented before the Court, is groundedly suspected to haue stollen away the said mony, the Court haucing strictly examined him, and finding that hee was lurking about

the house of the said Edward Sturgis on the Lords day on which the mony was stollen, which giues great suspicion that hee had a hand att least in taking it away, this Court doth therfore centance the said Tom Nopye publickly to be whipt att Yarmouth, for breach of the Sabbath, att the descretion of the select men of the said towne, and that hee be allowed about a month or six weekes from this date to make enquiry and bringe out the theiffe or theiues that stole the said mony, and by that time to discouer them to some one of the majestates of this jurisdiction, or else that hee shall make payment therof himselfe to M<sup>r</sup> Sturgis, or to his satisfaction.

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 WINSLOW,  
 Gov<sup>r</sup>.

Nicholas White, of Taunton, for selling liquor to the Indians seuerall times contrary to the law of this gou<sup>r</sup>ment, was fined the sume of thirty pounds, to the collonies vs<sup>e</sup>.

\* Att the 2<sup>con</sup>d session of the Generall Court, held in the 10<sup>th</sup> of July, 1677.

10 July.

Memorandum: that Mamanewett be sent for vnto the next Court, and treated with in reference vnto satisfaction for the defence of his land from the enemy.

[\*163.]

The Generall Court find the land which M<sup>r</sup> Gray and others lay claime vnto to be conquest land.

Wheras there is about thirty shillings of the estate of Faith Phillips, deceased, lying in the custody of John Phillips, her husband, it is agreed by and between the sommes of the said Faith Phillipps, and with their joynt consent, that the said sume shalbe payed vnto the daughters of the said Faith Phillipps, viz<sup>s</sup>, Desire Serman, Elizabeth Rouse, and Mary Doten, in equall and alike proportions, vnlesse the two younger sisters shall see reason, in respect of the low condition of the eldest, to consider her in that respect.

This Court giues libertie vnto John Wing, Seni<sup>r</sup>, of Yarmouth, to exchange a psell of land with an Indian named Pampamuett, which land is a psell of land belonging to the said John Winge, lying att or about Satuckett, for a psell of land, being about one hundred acres, lying and being by the Riuer Cantecticutt, allies Teticutt Riuer.

The answare of the Generall Court vnto Barker, of Rhod Iland, his letters that there are some gent<sup>l</sup>men of our owne that lay claime to the lands desired by them, and if they please to try for the title of it, the law is open.

This Court doth order the towne of Scittuate to appoint a fitt ps<sup>o</sup>n to keep an ordinary att Scittuate, betwixt this and the next October Court, and then to propose him to the Court, and Edward Jenkins is allowed by the Court to keep entertainem<sup>t</sup> for strangers, viz<sup>s</sup>, provide victuall and draw beer for that Court.

The sume of twenty pounds is allowed by the Generall Court vnto

1677. Thomas Baxter, a maimed souldier, whoe hath lost the vse of one of his hands in the time hee was in the countryes service.

10 July.  
[WINSLOW,  
GOVERNOR.]

In reference vnto the debts owing by the country vnto M<sup>r</sup> Symon Cooper, of Rhode Iland, for surjery exerceysed on Wiltam Die and others, of Dartmouth, the Generall Court doth not owne themselues concerned therein, but that it is the proper busines of the towne of Dartmouth to take care of and be healpfull in such case ; and wheras hee proffers to take his pay in land, the Court judgeth, that Dartmouth is in a capassitie to defray it in such a way to satisfaction.

This Generall Court haue ordered, that the sume of twenty pounds be allowed out of the treasury of the collonie, to be payed to the widdow and children of M<sup>r</sup> Nathaniel Cooper, deceased, as a grattification for his great paines and care taken for and concerning our souldiers, when in the office of a constable in the time of the late warrs.

This Court doe appoint Cornett Studson and M<sup>r</sup> Nathaniell Thomas, to joyne with and be assistant to the Treasurer, in makeing sale of the countryes lands att Showamett and Assonett, as alsoe for improuement of such monyes as may be receiued for the same, for satisfaction of those to whom the country is indebted.

Att this Court, John Rauce, of Scittuate, for raileing on M<sup>r</sup> Baker, in saying hee is a falce prophett, and saying that Major Cudworth is a falce, hipocritticall man, and that M<sup>r</sup> Baker had receiued stollen goods, and for goeing vp and downe from house to house, to intice younge p<sup>rs</sup>ons to come to heare their falce teachers, was canted by the Court to be publicly whipt, which accordingly was pformed.

13 July.  
[\*164.]

\*Att the 2<sup>cond</sup> session of the Generall Court held att Plymouth the 13 day of July, 1677, seuerall acts and order made and enacted by them as followeth :—

Wheras the late warr hath bine very chargeable to the seuerall townes of this goument, and many debts occasioned therby are still due, this Court, considering that, by the good prouidence of God, there are seuerall tracts of conquered lands, doe therefore order, that Showmett lands and Assonett shalbe sold to defray the p<sup>sent</sup> debts, and that all other such lands shalbe either sold, if chapmen appcer to buy them, within a yeer or two, soe as to settle plantations thereon in an orderly way, to promote the publicke worship of God, and our owne comon good ; and the produce thereof shalbe deuided to the seuerall townes in this goument, according to their different disbursments towards the aforsaid warr, and what of the aforsaid lands shall then remaine vnsold

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shalbe deuided to euery of our townes, theire p̄te according to the rate fore-  
mensioned ; alsoe, the com̄ittee to make sale as aforsaid shall giue account of  
any theire actings therein, to the next Generall Court after such theire actings.

In reference vnto one hundred acres of land formerly graunted by the  
Court vnto Cap̄t John Gorum, deceased, which land lyeth att Papasquash  
Necke.

This Court doth giue vnto his heires and successors the Indian purchase  
of the said hundred acres of land, and vpon consideration that it was graunted  
vnto him formerly by the Court as aforsaid, and forasmuch as hee hath p̄formed  
good service for the country in the late warr, and ended his life in the said  
service, this Court sees reason, and doe heerby rattify, establish, settle, and  
conferme, the aforsaid hundred acres of land, formerly graunted vnto the  
aforsaid Cap̄t John Gorum, lying on Papasquash Necke aforsaid, to his heires  
and successors for euer.

Mr Browne and  
Mr John Allin  
were appointed  
to lay it out.

Wheras many wayes haue bine tryed for the raising of a comfortable  
and certaine maintainance for the minnisters of the gospell in this collonie,  
which, notwithstanding some plantations not giueing due incurragment to  
those that were or should haue bin improued in that honorable and profitable  
worke, some plantations haue for a considerable time, and still doe remaine  
destitute of the publicke preaching of the word, vnto the great prejudice of  
theire owne soules, and continewed greiffe of all well affected amongst vs, and  
in some other plantations where minnisters are yett continewed, the meanes  
for theire support is raised with great difficulty and vncertainty,—

It is therfore enacted by this Court and the authoritie therof, that such  
sum̄es as the people of the seuerall townes or plantations in this goūment doe  
agree to allow to theire respectiue minnisters, or for defect of theire mutuall  
agreement, such sum̄e or sum̄es as the Court shall judge meet, and appoint to  
be payed to them, or to be raised for incurragment of minnisters to settle in  
such places as now are or att any time may be distitute, shalbe raised by rate  
on all the rateable inhabitants of the seuerall plantations of this goūment, and  
shall yeerly goe forth att the same time and in the same rate that is to be made  
and leuied for ordinary country charges, and shall in the seuerall plantations  
be made, and by the constables be gathered therwith, and by them payed to  
the Treasurer or his order, in such specue and in such seasons as the majes-  
trates sallery is vsually payed in ; and if any townes, rators, or constables  
make default of what is of them required respecting the p̄mises, thay, or any  
of them in whom the defect is found, that obstruct the full and timely execu-  
tion therof, shalbe lyable to such penaltie or fine as is provided. Respecting the  
makeing, gathering, or paying of other country rates, and in such plantations

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where noe allowed minnester is, some pson or psons shalbe by the Court appointed by the Treasurers order to receiue the said suñes there raised, which shalbe improued to such publicke piousse vse in that plantation as the Court shall direct vnto. This order to take place att p̄sent, where ther is no other prouision made for the effecting of the said ends.

The 2<sup>cond</sup> Session of the Generall Court.

[\*165.] \*A barr was putt att this Court to M<sup>r</sup> Brownes demand of a p̄sell of land att Swansey.

Wheras John Haward, of Dartmouth, hath disposed his share of land att Saconett, the one halfe of it to his son Daniell, deceased, who willed his said halfe to his children, the said John Haward and the widdow of the said Daniell Haward desiringe a deuision of the said share of land, this Court hath ordered, that if the said John Haward, and Captaine Church, whoe is agent for the said widdow, doe agree in a way of deuision therof, it shalbe satisfactory to the Court; but if not, that then the Court will take course for the deuision therof, and what they doe in that behalfe, to returne to the Court to be recorded.

Att this Court Cap<sup>t</sup> Goulding appeered and complained, in the behalfe of himselfe, and Dauid Lake, and Thomas Lake, that they haue mett with opposition from soñ psons in their peacable injoyment of those portions of land graunted to them by the Court, by some threatening speeches from some psons in that behalf. The Court returne to them was, that in case any should appeer to molest them in any wise in the improuement therof, the Court will maintaine the title therof vnto them; but as for words, they must beare with them when they meet with them, and passe them ouer respecting the p̄mises.

A com̄ittee appointed by the Generall Court to meet the second Tuseday in August next, whoe are appoiñd and impowred to heare and determine all matters respecting debts due from the collonie to all psons whatsoeuer, and ballence the accompts between the seuerall townes of this collonie concerning the late warr, not before ballenced, and each towne to pay them for their time, and their expences to be bourne by the collonie.

The names of the com̄ittee chosen are as followeth:—

The Treasurer,	M <sup>r</sup> John Miller,
M <sup>r</sup> Edward Gray,	Thomas Huckens,
Wiltam Paybody,	M <sup>r</sup> Daniell Smith,
Cornett Studson,	Cap <sup>t</sup> Sparrow,
Wiltam Swift,	John Willis,
Wiltam Harvey,	Samuell Luther.



The deputies were desired to acquaint theire townes respectiuey that if any of them will fish att Cape Codd, that such will meet att Plymouth, when the comittee is to be together to agree vpon tearmes for fishing there.

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[\*166.]

\*1677. The Rates of the generall Townes of this goument, proportioned for this p̄sent yeer, as followeth:—

		To the Treasurer.	To the Officers.
Plym̄,	19 : 00 : 00	15 : 00 : 00	04 : 00 : 00
Duxb̄,	11 : 06 : 06	08 : 06 : 06	03 : 00 : 00
Bridḡw̄,	10 : 00 : 00	07 : 03 : 00	02 : 17 : 00
Scituate,	30 : 10 : 00	24 : 10 : 00	06 : 00 : 00
Taunton,	16 : 00 : 00	12 : 10 : 00	03 : 10 : 00
Sandwī,	22 : 16 : 00	18 : 16 : 00	04 : 00 : 00
Yarmouth,	18 : 10 : 00	15 : 00 : 00	03 : 10 : 00
Barns̄,	24 : 05 : 00	20 : 05 : 00	04 : 00 : 00
Mars̄field,	18 : 10 : 00	15 : 10 : 00	03 : 00 : 00
Eastham,	15 : 18 : 00	12 : 18 : 00	03 : 00 : 00
Swansey,	05 : 00 : 00	05 : 00 : 00	00 : 00 : 00
Rehoboth,	12 : 00 : 00	08 : 17 : 00	03 : 03
	<hr/> 203 : 15 : 06	<hr/> 162 : 15 : 06	<hr/> 40 : 00 : 00
		<hr/> 040 : 00 : 00	
		<hr/> 162 : 15 : 00	

The Court voated that barly shalbe paied for the rate this yeer att three shillings a bushell.

The proportions aboue entered are to be payed, two p̄tes of three therof in wheat, and barly, and butter, or siluer, the wheat att 4<sup>s</sup> a bushell, the barly att three shillings a bushell, and the butter att fine pence a pound, this first payment to be made att or before the first of October next after the date heerof, and the other third p̄te to be payed in Indian corne and rye, the Indian corne att three shillings a bushell, and the rye att three shillings and six pence a bushell, this latter payment to be payed att or before the first of Aprill next after the date heerof, all good and marchantable, to be deliuered to the Treasurer, or where hce shall appoint, prouided it be att Plymouth or Boston, and charge of transportation defrayed.

The excise due to the country from James Cole is remitted to the said James Cole.

\*Wheras Phillip, the late sachem of Paukanakett, and other sachems, his accomplices, haueing bin in confederation and plighted couenant with his

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ma<sup>ties</sup> collonie of New Plymouth, haue lately broken couenant with the English, and they and their people haue likewise broken out in open rebellion against our sou<sup>r</sup> lord Kinge Charles, his crowne and dignitie, expressed by raising a crewell and vnlawfull warr, murdering his leich people, destroying and burning their houses and estates, expressing great hostilitie, outrage, and crewelty against his said ma<sup>ties</sup> subjects, wherby many of them were psonally slaine, and some bereaued of their deare children and relations, among which said rebels an Indian named Popanooie is found to be one, whoe hath had a hand, and is found to be very actiue in the great crewelty and outrage acted vpon seuerall of the inhabitants of the towne of Dartmouth, in the said his ma<sup>ties</sup> collonie of New Plymouth, in p̄ticular it being manifest that hee was very actiue towards and about the destruction of seuerall of the children of Thomas Pope, late of Dartmouth aforesaid, and seuerall others of the said towne; in consideration wherof, after due examination had of the p̄mises, this Court doth heerby condemne and centance him, the said Popanooie, and his wife and children, to ppetuall seruitude, they likewise being found coēptenor with him in the said rebellion, and p̄ticularly that hee, the said Popanooie, is to be sold and sent out of the country.

The country haue sett and to farme lett their priuiledges and proffitts of fishing att the cape vnto the Treasurer, M<sup>r</sup> Huckens, M<sup>r</sup> Gray, and Thomas Paine, for the tearme of seuen yeers from the date heerof, for and in consideration of the sume of thirty pounds a yeer, to be payed in currant siluer mony, to be payed att or before the first of May yeerly. It is mutually agreed between the Court and the p̄tenors, that it shalbe improved by our owne people, but incase they shall refuse, that then it shalbe att the libertie of the p̄tenors to admitt of any other, out of the collonie, to improve it with them; and the Court appoint Cornett Studson and M<sup>r</sup> Nathaniel Thomas to make leasses to the p̄tenors, and to receive the countryes mony for it, for the countryes vse, as it is due and payable.

To the intent that the townes of this gouernment might haue seasonable notice of the p̄mises, order was giuen by the Generall Court to the deputies of the seuerall townes of this jurisdiction, to acquaint their townes that such as will fish att Cape Codd for mackerell, &c, should appeer att Plymouth, when the cōmittee appointed to settle the countryes debts should meet, which is to be on the second Tusday in August next after the date heerof, att which time those whoe haue hiered the fishing there of the country wilbe p̄sent, to agree with them.

The fift of June, 1678. That the farmers of the fishing att Cape Cod,

and other priviledges there, according to their indentures, may be secured from mollestation in what is leased out to them, it is ordered by this Court, that whosoever shall attempt to gett fish there without order, or otherwise molest such as are orderly by the farmers imployed there, any sayne heaued out by intruders to gett fish there, and the fish by them soe taken, and any vessell, goods, or estate of any other kind shalbe seized for the collonies vse, out of which all damage done there by such molesters, with all charge that may arise therby, shalbe fully payed, and such seizures to be made by vertue of warrant from the Gou<sup>r</sup> or some one of the Assistants.

June, 1678. It is ordered by the Court, that it shalbe in the libertie of the leassers of the priviledges of the cape fishing, to admitt of the one halfe of the improuers therof to be off any of the collonie of the Massachusetts, as they may see reason.

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This was ordered by the  
Generall Court  
the day and  
yeer above  
said.

*\*All the Court of his Ma<sup>tie</sup> held for this Gou<sup>r</sup>ment att Plymouth, on the 30<sup>th</sup> of October, Anno Do<sup>m</sup>i 1677.*

30 October.

[\*170.]

BEFORE John Alden, Esq <sup>r</sup> , Deputie Gou <sup>r</sup> , and	Constant Southworth,
William Bradford,	James Browne, and
Thomas Hinckley,	James Cudworth,
John Freeman,	

Assistants, &c.

**A**TT this Court, Ambrose Fish was indited by the name of Ambrose Fish, for that hee, haueing not the feare of God before his eyes, did wickedly, and contrary to the order of nature, on the tweluth day of July last past before the date heerof, in his owne house in Sandwich, in this collonie of New Plymouth, by force carnally know and rauish Lydia Fish, the daughter of M<sup>r</sup> Nathaniell Fish, of Sandwich aforesaid, and against her will, shee being then in the peace of God and of the Kinge.

The grand jury found billa vera. The verdict of the jury of life and death was as followeth:—

Viz<sup>o</sup>, if one euidence with concurring cercomstances be good in law, wee find him guilty.

But if one euidence, with concurring cercomstances, be not good in law, wee find him not guilty.

Vpon consideration of the verdict, the Court centanced him, the said

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Ambrose Fish, to suffer corporall punishment by being publickly whipt att the post, which accordingly was inflicted, and the prisoner released.

## The Names of the Jury.

M <sup>r</sup> John Thompson,	} sworn.	{ Enecase Robinson,	} sworn.
Captaine Benjamine Church,		{ Abraham Jackson,	
John Wadsworth,		{ Shuball Dimacke,	
David Aldin,		{ Nathaniell Hall,	
Nathaniell Southworth,		{ John Gorum,	
Gorge Morton,		{ Jonathan Higgens.	

Anne Annible, of Barnstable, widdow, for selling of beer to English and Indians without lycence, was centanced by the Court to pay a fine of twenty shillings, to the vse of the collonie.

And the said Anne Annible stands heerby bound vnto the }<sup>ll</sup> 20:00:00  
Court in the penall sume of . . . . . }

And Samuell Annible surety, in the sume of . . . . . 10:00:00

The condition, that in case the said Anne Annible shall att any time heer-after be found to transgresse the law of this collonie in selling beer, wine, liquor, cakes, &c, to either English or Indians, without lycence from the Court, that then, &c.

This Court graunted libertie to Edward Jenkins, of Scittuate, to keep an ordinary in Scittuate, for the entertainement of strangers, and refreshment of trauellers, &c.

Libertie is graunted by the Court vnto M<sup>r</sup> Barnabas Laythorpe to be provided with wine and liquors to sell, for the supply of such as are or may be in wante, either by sicknes or otherwise, to dispose therof to sober psons, as there may be oecasion for their refreshment, according to his discretion.

John Whilden, of Yarmouth, is exempted from training in the milletary companie of Yarmouth, on consideration that hee hath three soñes, fitted with armes for publicke service.

[\*171.]

\*Att this Court M<sup>r</sup> Symon Cooper, chyrurgion, lineing att New Port, on Rhode Iland, appeered, and p̄sented a paper vnder John Cookes hand, wherby hee stands ingaged, in the behalfe of the inhabitants of Dartmouth, to see the said Symon Cooper satisfied for a cure wrought on Wiltam Die, of Dartmouth aforesaid, in consideration the Court directed an order to John Cooke, to call the said towne together, and to see the said M<sup>r</sup> Cooper satisfied for his paines and skill, improued in the said cure.

Wheras a natiue named Cap<sup>t</sup> Daniell was warned by warrant from the

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Gou<sup>r</sup> to appeer att this Court, to answare the complaint of an Indian named Saconiansett, the sonne of Yanuoo, sachem, in reference vnto a controversye about land, which M<sup>r</sup> Hinckley and M<sup>r</sup> Freeman, by order of the Court, haue formerly settled, the said Saconiansett not appeering, and the said Cap<sup>t</sup> Daniell therby much damnified therby, this Court doth award the said Saconiansett to pay to the said Cap<sup>t</sup> Daniell eight bushells of Indian corne, or the vallue of it, vpon his demaund.

In reference vnto the dispose of the estate of James Barnabey, deceased, the Court haue ordered that Lydia, his wife, shall haue all the mouables of the said estate, on condition as followeth, viz<sup>s</sup>: that wheras the said Lydia Barnabey is to joyn in marriage with John Nelson, of Plymouth, late of Middleberry, if therefore the said John Nelson, with the said Lydia, his wife, doe, according to his p<sup>r</sup>sent engagement, keep and bringe vp the two children of the said James Barnabey vntill they attaine the age of fourteen yeers, and then doe pay to each of them, or to such as may be ordered by the Court to receiue it for them, six pound a peece, in currant siluer mony of New England, that then they, the said John Nelson, and Lydia, his wife, are to haue as followeth, viz<sup>s</sup>: the said Lydia the mouables of the said estate, as aforesaid, and the said John Nelson to haue and enjoy the lands of the said estate, vntill the children come of age; and the Court doe order and appoint, according to the desire of the said Lydia Barnabey, that her two bretheren, viz<sup>s</sup>, Benjamine Bartlett and Joseph Bartlett, to be ouerseers to see the said conditions made good and accomplished, for and in the behalfe, and to the vse and benefitt, of the said children.

Wiltam Witherell, of Taunton, stands bound vnto the Court in the penall summe of forty pound; the condition, that if the said William Witherell, haueing obtained libertie of adminnestration to adminnester on the estate of Elias Irish, if therefore the said Wiltam Witherell shall and doe pay all such debts and legacies as are due and owing to any pson or psons from the said estate, soe farr and by equall proportions as the estate will amount vnto, and saue and keep harmlesse and vndamnified the Gou<sup>r</sup> and Court of Plymouth from any damage that may acrew vnto them by his said adminnestration, and keep a faire account therof, and be reddey to giue in the same vnto the Court when by them required, that then the said obligation to be void and of non effect, or otherwise to remaine in full force, strength, and vertue.

The Court haue voated and hiered vnto M<sup>r</sup> Nathaniell Thomas, M<sup>r</sup> Edward Gray, and John Rogers, all the herbage and grasse which shall grow on the countreyes lands att Pocassett and places adjacent for one yeer, and their tearme to begin when Cap<sup>t</sup> Churches and his p<sup>r</sup>tenors ends, and they haue engaged to pay therfore vnto the Treasurer the summe of ten pounds.

The summe of five pounds is allowed by the Gen<sup>r</sup>all Court vnto M<sup>r</sup>

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Hinckley and Major Cudworth, towards the bearing the charge and expence they may be att in their journeyes to and fro, in their attendance vpon his maties order and comāund, respecting the busines about and concerning Wiltam Harris, of Patucket, neare Providence.

Memorand: that a warrant be drawne vp and sent to Mamanewett, the Indian sachem, in reference to his appeerance att Plymouth, and treaty with him for satisfaction, for defending his land from the enemie in the late warr.

The sume of ten pounds is allowed by the Court vnto John Paysley, for his relieffe, to be payed the next yeer, in fines or by rate.

1 November.

[\*172.]

\*Att the Generall Court held att Plymouth for the jurisdiction of New Plymouth, the first of Nouember, ann<sup>o</sup> Dom<sup>i</sup> 1677.

Wheras the Generall Court held the 10<sup>th</sup> of July, 1677, appointed and impowered the Treasurer, with the assistance of Cornett Studson and M<sup>r</sup> Nathaniel Thomas, to make sale of the lands att Shawamett, &c, to defray the countreyes debts, this Court doth declare, that the said words, "the lands att Shawamett," are to be interpreted to containe the lands called the out lett, as well as the necke itselſe, called Shawamett, and therefore doe heerby allow and confirme the sale of the said out lett lands, as well as the necke itselſe, to all those to whom the said Treasurer hath made sale therof, according to the boundaries of the said out lett heerby mensioned, viz<sup>o</sup>: bounded on the east by Taunton Riuer, on the north by Taunton lands, on the west, p̄tely by Swansea lands which were purchased of the Indians by Cap<sup>t</sup> Thomas Willett and M<sup>r</sup> Stephen Paine, Sen<sup>r</sup>, and p̄tely by the lands of Rehoboth, if the countreyes lands extend soe farr westwards, and on the south by the said necke.

And forasmuch as the towne of Swansea conceiue themselues to haue right to the aforesaid outlett lands, which although this Court att p̄sent are otherwise minded, yett being willing for the quiett settleing and satisfaction of Swansea, soe farr as to appoint a com̄ittee to view a stripp of land att the enterance of Mount Hope Necke, with some of Swansea, and some of the p̄sent purchasers of Mount Hope, which said com̄ittee, after the hearing of both p̄ties, shall haue power to determine that stripp of land soe farr to belonge to Swansea as they shall judge most com̄odious, and least prejudiciall to either place, provided their graunt and determination extend not aboue 50 or 60 rodd from the said fence downward into the necke, except the com̄ittee shall see cause to extend it soe farr as Kekamenest Springe, and provided that in case Swansea accept therof, then to relinquish all their claime to the said outlett, and all their claime of jurisdiction to the said Mount Hope; and M<sup>r</sup> Hinckley and Major Cudworth are appointed by the Court to determine as abouesaid, in the behalfe of the collonie.

The committee appointed by the Court to treat with the agents of Swansey in reference to a settlement of the matters now in controversy between the collonie and them about the claime made by Swansey men vpon their borders, were —

M <sup>r</sup> Constant Southworth,	M <sup>r</sup> Barnabas Laythorpe,
M <sup>r</sup> Daniell Smith,	M <sup>r</sup> William Paybody,
M <sup>r</sup> Thomas Huckens,	M <sup>r</sup> Nathaniell Thomas,

and Cornett Robert Studson.

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[The following paragraph was made subsequent to the original record.]

James Barnabey appeered before the Court held att Plymouth the last Tuesday in October, 1684, and made choise of his father in law, John Nelson, and Thomas Faunce, to be his gaurdians, and att the same time John Nelson p<sup>r</sup>sented six pound in siluer mony, in the p<sup>r</sup>sence of the said Court, for the said James Barnabey, accordinge to the ingagments of the said John Nelson, and Lydi, his wife, vnto the Court in October, 1677, and att the abouesaid Court in 1684, the said John Nelson, as gaurdian to the said James Barnabey, did receiue six pound into his hands & keeping, for the vse and improuement of said James Barnabey.

\*The verdict of vs, a jury impannelled by the constable of Yarmouth, to serch into and view the what might be the occation or cause of the vntimly death of the wife of James Claghorne, of Yarmouth. Wee made enquiry whoe were the p<sup>r</sup>sons which first found the woman, and wee found that it was her daughter Elizabeth and her son Robert, whoe, vpon examination, declared to vs that they, missing their mother, and had made serch and enquiry for her, they sent vp into the chamber by one of the children, whoe cryed out that his mother is hanging herselfe; whervpon the said Elizabeth and Robert ran vp, and found her hanging and dead. They thought, howeuer, that shee might haue life, and therefore p<sup>r</sup>sently vnloosed the rope or halter, and tooke her downe; and seeing noe life in her, they p<sup>r</sup>sently made out cry abroad, and there came to them Jabez Gorum and Jonathan White, whoe declared to vs that they went vp, and found the woman vnder the rope dead and cold, and they tooke her vp and brought her downe into the lower rome; and the abouesaid Elizabeth said that her mother was mising, as shee judged, two houres or more before they found her. Haucing thus farr proceed, wee went to view the place where shee was hanged, as they told vs, and found there an haire rope or halter, fastened very feirme to the collar beame, in which the abouesaid Elizabeth and Robert said shee hanged; then wee viewed the corpes, and found an aparent strake on her necke, where the blood was settled; soe that

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it is apparent to vs that shce strangling herselfe with a cord was the cause of her death, and by all our serch and inquiry, wee judge that shce hanged herselfe, and haue noe cause, by all our examination and obseruation, to suspect any other to haue any hand in it.

Yarmouth, this 21 of the 8<sup>th</sup>, 1677.

This verdict was taken vpon oath this 29<sup>th</sup> of October, 1677, before mee.

JOHN FREEMAN, Assistant.

ANDREW HALLOTT,  
EDWARD STURGIS, Seni<sup>r</sup>,  
JOHN MILLER, sworne.  
ELISHA HEDGE, sworne.  
EDWARD STURGIS, Juni<sup>r</sup>,  
NATHANIEL HALL,  
JOHN WHILDING, Seni<sup>r</sup>,  
JOHN RYDER, sworne,  
ANTHONY FREY,  
JOHN TAYLER,  
NATHANIEL BASSETT,  
JOHN THACHER.

You shall carfully and dilligently serch the body of Gorge More, and make dilligent<sup>ly</sup> inquiry, and gett the best information you can from p<sup>rs</sup>ons and things, what may be the cause and meanes, or the most probable cause and meanes, of this his vntimely death, all which you shall well, truely, and faithfully p<sup>er</sup>forme according to the best of youer vnderstanding and discretion, as you looke for heelp from God.

Rodulphus Elmes,  
Wiltam Peakes,  
William Hatch, Seni<sup>r</sup>,  
Joseph White,  
Nathaniel Turner,  
Josiah Leichfeild,

Luke Squire,  
Thomas Hatch,  
Thomas Clarke,  
Wiltam Hatch, Juni<sup>r</sup>,  
Thomas Man,  
Joseph House

The jury being impanelled and sworne to inquire of the death of Gorge More, this 26<sup>th</sup> of March, 1677, giue in this following for their verdict: —

Wee, whoe according to our oath had the viewing of the body of Gorge More, of Scittuate, cannot find either by p<sup>rs</sup>ons or things what was the cause



of his death, but according to our best vnderstanding, wee apprehend that it was some suddaine fainting fitt, or some stoping of his breath, was the whole and sole cause of his death.

RODULPHUS ELMES,  
WILEAM PEAKES,  
WILLIAM HATCH,  
JOSEPH WHITE,  
NATHANIEL TURNER,  
JOSIAH LEICHFEILD,  
LUKE SQUIRE,  
THOMAS HATCH,  
THOMAS CLARKE,  
WILEAM HATCH, Junir,  
THOMAS MAN,  
JOSEPH HOUSE.

1677.

1 November,  
WINSLOW,  
Gou<sup>r</sup>.

See Mienell  
Walkers vn-  
timely death  
reecorded att  
the Court Rec-  
ord, July, 1676.

*\*Att the Court of his Ma<sup>tie</sup> held att Plymouth, for the Jurisdiction of New Plymouth, the fift of March, Ann<sup>o</sup> Doñi one thousand six hundred seauenty and seauen.*

1677-8.

5 March.  
[\* 174.]

BEFORE Josiah Winslow, Esq<sup>r</sup>, Gou<sup>r</sup>,  
John Aldin,  
Wiltam Bradford,  
Thomas Hinckley,

John Freeman,  
Jañs Browne,  
Constant Southworth, and  
James Cudworth,

Assistants, &c.

**A**NNA TISDALL, widdow, of the towne of Taunton, in the jurisdiction of Plymouth, in New England, and John Richmond and Samuell Smith, of the towne aforsaid, in the jurisdiction aforsaid, yeomen, and John Rogers, of the towne aforsaid, in the jurisdiction aforsaid, yeoman, doe acknowledge ourselues bound and feirly obliged vnto the Gou<sup>r</sup> and Court of Plymouth aforsaid, in the penall sume of one hundred and fifty pound, for the payment, wherof well and truely to be made, wee bind ourselues, our heires, executors, and adminnistrators, joyntly and seucrally, feirly by these p<sup>s</sup>ents.

The condition of the aboue written obligation is such, that wheras the aboue bounden Anna Tisdall hath obtained letters of adminnistration to

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5 March.  
WINSLOW,  
Gov<sup>r</sup>.

adminnester on the estate of John Tisdall, Jun<sup>r</sup>, late of Taunton aforesaid, deceased, if therfore the said Anna Tisdall shall and doe pay, or cause to be payed, all such debts and legacyes as are due and owing vnto any from the estate of the said John Tisdall, soe farr and by equall proportions as the said estate will amount vnto, and likewise dispose of the remainder of the said estate according to the Courts order, and keep a faire accompt therof, and be in a reddines to giue in a faire accompt therof, when thervnto required by the Court, and saue and keep harmles and vndamnified the said Gov<sup>r</sup> and Court from any damage that may acrew vnto them by her said adminnestration, that then the said obligation to be void and of none effect, or otherwise to remaine in full force and vertue.

The Court haue ordered that a deuission shalbe made of a p̄sell of land att Saconett, which is a share of land there which was the land of John Irish, deceased, and by him bequeathed to his two sonnes, Elias Irish and John Irish, Jun<sup>r</sup>, his brother, which is to be made by William Witherell, in the behalfe of the said Elias Irish, his child, and the said John Irish, Junier, incase they can agree soe to doe; but if not, the Court orders that Cap<sup>t</sup> Church and John Richmond, of Taunton, shall doe it in their behalfe equally both for quantity and quallity, deuided and vndeuided, vpland and meddow land, and that then the said William Witherell and John Tisdall shall draw lotts for the same.

Wheras it doth appeer vnto the Court that there is due vnto M<sup>r</sup> Symon Cooper the so<sup>m</sup>e of fifteen pounds in mony from the towne of Dartmouth, for surjery exereysed on Wilłam Dye, which the said towne hath hitherto neglected to satisfy, the Court doth heerby engage to take some effectuall course that the said sume shalbe satisfied some time in Nouember next, and alsoe twenty shilling in mony, for his paines and charge of his journeyes to Plymouth about it.

Experience Michell, Edward Michell, and Joseph Bartlett are allowed and appointed  $\wedge$  by to be gaurdians to the children of Jacob Michell, deceased, to call in the debts due vnto the said estate, and to gather the same together, and to improue the same for the future good of the said children, when they come to be of age.

Willam Carpenter and Samuell Carpenter, ouerseers of the estate of Margerett Carpenter, deceased, are ordered by the Court to dispose of a competent p̄te of the land of Joseph Carpenter, Sen<sup>r</sup>, for the vse of Joseph Carpenter, Jun<sup>r</sup>, in regard hee is in some want of land att the p̄sent for his p̄sent vse, and to be accompted as p̄te of his share of the land due vnto him out of his said fathers land.

These are to signify vnto all to whom these p̄sents shall come, that this Court sees cause to prohibite all and euery p̄son and p̄sons within our jurisdiction or elsewhere, to buy any of the Indian children of any of those our captiue saluages that were taken and became our lawfull prisoners in our late warrs with the Indians, without speciall leaue, likeing, and approbation of the gouernment of this jurisdiction.

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5 March.  
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Gov<sup>r</sup>.

Letters of administration is graunted vnto Anna Tisdall, widdow, to admnister on the estate of John Tisdall, late deceased.

And John Richmond, and John Rogers, and Samuell Smith, of Taunton, are appointed to be ouerseers for the desposall of the said estate.

\*In reference to the complaint of Robert Badston against Charles Wills, that hee had lyen w<sup>th</sup> his wife, the Court, haueing examined the euidences respecting that case, did not find him guilty of that fact, and therefore cleared him therof, and from keeping the child, and the rather because the said Robert Badston hath frequently companied with his said wife by beding with her, both before and after the child was borne.

[\*175.]

Joseph Burge, for selling liquore to the Indians, fined fūe pounds, to the vse of the collonie.

This fine of fūe pound of Joseph Burgis is respected on his good behauior.

Att this Court Pompmoe was p̄sented before the Court for frequently stealing of horses, powder, &c, and goeing on vnreclaimably therein. The Court sees reason to take the engagement of three Indians, viz<sup>t</sup>, Symon Pompmoe, Lawrance, and John Sias, that hee, the said Sam Pompmoe, shall pay or cause to be payed all the charge that shall appeer to be due for his imprisonment, and for the bringing of hin to prison.

Joseph Burge for prophanly swearing in the face of the Court, fined ten shillings, to the vse of the collonie.

Samuell Jenney, for vseing railing and reuiling speeches to seuerall p̄sons att the mill att Plymouth, fined fūe shillings.

Joseph Dunham, for laciuiouse carriages vsed toward Elizabeth Ringe, fined twenty shillings, to the vse of the collonie.

Ruhamah, the wife of Joseph Nicarson, for prophaning the Sabbath by fighting and quarreling twise, fined forty shillings, or to suffer corporall punishment by whipping.

Samuell Nicarson, for prophanly breaking the Sabbath by quarrelling and fighting, fined forty shillings, but hath libertie to appeer before the next Court, to make his defence.

1677-8. Edward Cottle & his wife, of Mannamoiett, for prophaning the Sabbath by quarrelling, fined forty shillings. And likewise the wife of Nathaniell Couell, for prophaning the Lords day by quarrelling & fighting, fined forty shillings, siluer mony, or to be whipt.

5 March.  
WINSLOW,  
Gou<sup>r</sup>.

Teague Jones, for drunkenes, knowne to be the second time, fined ten shillings.

In regard of the defect of a constable in the towne of Dartmouth, this Court doth order and authorise John Cooke, John Russell, and Leiftenant Smith, they or any two of them, in his ma<sup>ties</sup> name, to call their towne to come together to make such rates as are requisite for the defraying of such dues as are due and owing from their towne, and p̄ticularly a debt due to Symon Cooper for the cure of Wilkam Die, and for the charge of journeyes to Plymouth, for the demanding of the said debt, which is sixteen pounds, to be payed in siluer mony, to be payed to him or his declared order, Major Bradford; as alsoe the sume of forty shillings to Jonathan Delano, and to Thomas Tabor 2<sup>li</sup> 10<sup>s</sup>, and to Wilkam Spooner two pound and ten shillings, and to Samuell Jenney 1<sup>2li</sup>; to John Cornwell 2<sup>li</sup> 10<sup>s</sup>; to Phillip Tabor 2<sup>li</sup> 10<sup>s</sup>; to Eliezer Smith five shillings. These sumes, excepting that due to Symon Cooper, to be payed in marchantable pay, att money prise; they are to returne a true account of their doings respecting the p̄mises vnto June Court next, to be holden att Plymouth.

[\*176.] \*I, Serjeant John Bryant, of Scittuate, standeth bound heerby vnto the Court of the jurisdiction of New Plymouth in the penall sume of thirty pounds sterling, for the payment wherof, well and truly to be made, I bind myselfe, my heires, executors, and adminnistrators, feirly by these p̄sents, this eight of March, ann<sup>o</sup> Dom̄ one thousand six hundred seauenty and seauen, 78.

The condition, that wheras Isable Hiland, of Scittuate, the relict of Samuëll Hiland, late of Scittute aforsaid, deccased, hath obtained letters of adminnistration to adminnester on the estate of the said Samuell Hiland, if, therefore, the said Issabell Hiland doe pay or cause to be payed all such debts and legacies as are due and owing vnto any pson or psons from the said estate, soc farr and by equall proportions as the same shall amount vnto, and keep a faire and true account of her said adminnistration, and be redy to giue in the same vnto the said Court when by them required, and saue and keep harmles and vndamnified the said Gou<sup>r</sup> and Court from any damage that may

acrew to them by her said administration, (according to the promises,) that then the above entered obligation to be void and of none effect, or otherwise to remaine in full force, strength, and vertue.

1677-8.

5 March.  
WINSLOW,  
Gou<sup>r</sup>.

Henry Ellis, of Boston, in the Massachusetts government, being bound over to this Court by Thomas Hinckley, Esq<sup>r</sup>, Assistant, to answer a complaint or information against him, for that the said Ellice did on Munday night last past before the 8<sup>th</sup> of November, 1677, use abusive and lacinious carriages with or towards an Indian squa, called Toquco, att Cap Codd, which plaint, information, or charge is by him, the said Ellice, traversed and put to the jury for tryall.

The jury find not guilty

The names of the jury is as followeth : —

M <sup>r</sup> Thomas Huckens,	Eliezer Churchill,
Leiff Samuell Allin,	John Caruer,
Leiftenant James Lewis,	Ephraim Little,
Leiff Jabez Howland,	John Sutton,
Steuen Skiffe,	John Briggs,
John Soule,	Joseph Wadsworth.
sworne.	sworne.
	sworne.

This Court taking notice that the bounds are not yett settled between the towne of Eastham and the purchasers on both sydes of them, doth order, that they lay out and settle their bounds, and in defect therof, that they appear by their agents the next June Court, to render their reason of their neglect, that soe the Court may take care for the settlement therof.

*\*Att the Generall Court of Election holden att Plymouth, for the Jurisdiction of New Plymouth, the fift Day of June, Ann<sup>o</sup> Doñi 1678.*

1678.

5 June.  
[\*176.]

BEFORE Josiah Winslow, Esq <sup>r</sup> , Gou <sup>r</sup> ,	John Freeman,
John Alden,	James Browne,
William Bradford,	Constant Southworth, and
Thomas Hinckley,	James Cudworth,
Assistants.	

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5 June.  
WINSLOW,  
Gou<sup>r</sup>.

**J**OSIAH WINSLOW, ESQ<sup>r</sup>, was chosen Gou<sup>r</sup>, and sworne.

M <sup>r</sup> John Alden,	} were chosen Assistants in gou <sup>r</sup> ment, and sworne.
Major Wiltam Bradford,	
M <sup>r</sup> Thomas Hinckley,	
Cap <sup>t</sup> John Freeman,	
M <sup>r</sup> James Browne,	
M <sup>r</sup> Constant Southworth,	} chosen Com <sup>is</sup> sioners.
Major James Cudworth,	
Gou <sup>r</sup> Winslow and	
M <sup>r</sup> Thomas Hinckley	

Major Cudworth the next in nomination.

M<sup>r</sup> Constant Southworth was chosen Treasurer, and sworne.

#### The Deputies.

Leif <sup>t</sup> Morton,	M <sup>r</sup> Barnabas Laythorpe,
Leif <sup>t</sup> Joseph Howland,	Ensigne Marke Eames,
M <sup>r</sup> Josiah Standish,	Anthony Snow,
William Paybody,	M <sup>r</sup> Daniell Smith,
Cornett Studson,	M <sup>r</sup> Nicholas Pecke,
John Bryant,	Cap <sup>t</sup> Jonathan Sparrow,
Wiltam Swift,	Thomas Paine,
James Walker,	Ensigne John Haward,
Samuell Smith,	Samuell Luther,
John Thacher,	John Willis,
John Miller,	John Cooke.
M <sup>r</sup> Thomas Huckens,	

#### The Grand Enquest.

M <sup>r</sup> John Cushen,	Francis West,
Serjeant Wiltam Harlow,	Obadiah Bowin,
Joseph Warren,	Richard Steuens,
M <sup>r</sup> John Sunderland,	John Hinckley,
Phillip Delano, Seni <sup>r</sup> ,	John Eames,
Edmond Freeman, Juni <sup>r</sup> ,	Nathaniell Williams,
Struball Dimake,	Ephraim Little,
Phillip Walker,	Mordica Ellis,
John Caruer,	John Briggs,
John Butterworth,	Nicholas Nicarson,
Arther Hathewey,	Gorge Crispe.

\*Elect Men.

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Gov<sup>r</sup>.  
[\*179.]

Plym̄ :	Yarmouth :
Leif Morton,	Mr Edmond Hawes,
Wilam Crow,	Edward Sturgis, Seni <sup>r</sup> ,
Wilam Clarke.	John Thacher,
Duxbu <sup>r</sup> :	John Miller.
John Tracye,	Barnstable :
Benjamine Bartlett,	Mr Thomas Huckens,
John Wadsworth.	Leif Laythorpe,
Scittuate :	Mr Barnabas Laythorpe.
John Cushen,	Marshfeild :
John Bryant,	^           ^
Leif Bucke.	Rehoboth :
Sandwī :	Leif Peter Hunt,
Mr Edmond Freeman,	Mr Daniell Smith,
Wilam Swift,	Ensigne Nicholas Pecke.
Thomas Tupper.	Bridgwater :
Taunton :	Samuell Edson,
Leif Macye,	Ensigne Haward,
Wilam Harvey,	John Carey, Seni <sup>r</sup> .
Walter Dean,	Eastham :
James Walker,	Capt Sparrow,
Samuell Smith.	Marke Snow,
	John Done.

The Constables of the severall Townes are as followeth :—

Plymouth, . . . . .	Nathaniel Southworth.
Duxb, . . . . .	John Simons.
Scittuate, . . . . .	{ John Turner, Juni <sup>r</sup> ,
	{ Thomas Wade.
Sandwich, . . . . .	John Blackwell.
Taunton, . . . . .	{ Samuell Williams,
	{ Thomas Harvey, Seni <sup>r</sup> .
Yarmouth, . . . . .	Mr Edward Sturgis, Seni <sup>r</sup> .
Barnstable, . . . . .	Nathaniel Bacon.
Marshfeild, . . . . .	{ Samuell Arnold,
	{ Thomas Macomber.

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Rehoboth, . . . . .	{ Thō Read, Abraham Perren.
Eastham, . . . . .	{ Josiah Cooke.
Bridġwġ, . . . . .	{ Zacheus Packer.
Swansey, . . . . .	{ Caleb Eedey.

## Surveyors of Highwayes.

Plyñ, . . . . .	{ Leifř Joseph Howland, James Cole, Juni <sup>r</sup> , Ephraim Morton, Juni <sup>r</sup> .
Duxġ, . . . . .	{ John Rogers, Abraham Sampson, Wilřam Tubbs.
Scittuate, . . . . .	{ John Bryant, Juni <sup>r</sup> , John Vinall.
Sandwġ, . . . . .	{ Thomas Burge, Samuell Briggs.
Taunton, . . . . .	{ James Tisdall, James Leanard, Juni <sup>r</sup> .
Yarmouth, . . . . .	{ Nathaniel Bassett, John Burgis.
Barustā, . . . . .	{ Wilřam Troope, Ensigne Howland.
Marshfeild, . . . . .	{ Richard Bowin, John Perren.
Bridġwatġ, . . . . .	{ Thomas Turner, Joseph Haward.
Eastham, . . . . .	{ William Walker, Wilřam Merricke, Juni <sup>r</sup> .

[\*180.]

\*This Court have settled the easterly bounds of the towne of Duxburrow to be the sea, neare Greens Harbour, where the lines cutts between Marshfeild and Duxburrow to the Gurnetts Nose, excepting the Gurnett, Clarkes Iland and Sagaquas, which are not to be within the jurisdiction of Duxburrow, saucing alsoe euery mans propriety and right to him that is now in possession of any lands or meddowes within their bounds, whether by graunt or purchase, without disturbance, as touching propriety, by vertue of this graunt, yett to be within the jurisdiction of Duxburrow townshipp.



1678.

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WINSLOW,  
Gov<sup>r</sup>.

Wheras Thomas Jenkens, constable of Scittuate, being to pay by order of the Treasurer out of the rate dated the sixt of December, 1677, a certaine summe vnto M<sup>r</sup> Gray, and the said constable, in gathering his rate, was constrained to take sheep of seuerall psons, which were by men mutually chosen apprised, but coming to Plymouth they were refused to be receiued vntill there were another apprisall, and hee, the said Thomas Jenkens, coming to the Court the fit of June, 1678, to craue the Courts advice what hee might doe with safety therin, the Court doth declare and advise, that Thomas Jenkens and M<sup>r</sup> Gray doe each of them chose a man to prise the sheep, and the cheiffe marshall to be the third man, in case the other two agree, and soe M<sup>r</sup> Gray to receiue them; and what losse shalbe in the second apprisall, that the said losse be bourn by the towne, and not by the constable.

Wheras it doth appeer to the Court, that two Indians, one named Thomas Hunter and the other Peter, of Teticutt, were both mutually injoynd and did engage vnto their sachelm to keep, and not imbezell, or sell, or make away certaine lands committed to them by him, and notwithstanding, the said Peter hath lately made sale of some pte of the said land, contrary to the mind of his ptenor in this matter, vpon the complaint of the said Hunter, the Court ordereth and doth heerby prohibite the said Peter from imbezelling or any wayes making away any more of the said land; but that Thomas Hunter shall retaine it in his owne custody, soe as it may be improued according to the order and mind of him by whom they were betrusted with it.

Lycence is graunted vnto M<sup>r</sup> Edward Gray to sell some smale quantities of liquor, as hee may haue occasion, to such as are or may be employed by him in fishing, and such like occasions, for their vse and refreshing.

Libertie is graunted vnto M<sup>r</sup> Joseph Bradford and Mistris Jaell Bradford, his wife, to draw and sell beer as occasion may require, soe as they prudently prevent all excesse that may come therby.

M<sup>r</sup> Daniell Smith and Serjeant Thomas Reed are appointed by the Court, together with the gaurdians of the children of M<sup>r</sup> Nathaniel Pecke, of Swansea, deceased, to make deuision of certaine lands in ptenorship between the said Nathaniell Pecke and Israell Pecke, between the said Israell Pecke and the said children.

The summe of ten pounds in siluer mony, out of the proffitts of the cape fishing, is graunted by the Court and ordered to be payed, fise pounds therof vnto Mistris Newman, the wife of M<sup>r</sup> Noah Newman, deceased, and the other fise pounds to the schoolmaster att Rehoboth, in reference to the order of Court disposing such pay to be improued towards the keeping

1678. of a graīner scoole in each towne of this jurisdiction, as in the said order is expressed.

5 June.  
WINSLOW,  
Gov<sup>r</sup>.

Thirty shillings is abated and remitted of the fine of Serjeant Tinkham, soe that there remaines but ten shillings payable.

[\*181.] \*This Court remitteth vnto Christopher Winter, vpon the forfeiture of a bond of fifty pounds currant siluer mony of New Eng<sup>d</sup>, the sume of thirty pounds, retaining the sume of twenty pounds, which said twenty pounds is to be payed in currant siluer mony of New England; which said abatement is for that wheras the said Winter gaue the said bonds for his daughter, Anna Batson, her appeerance att this Court to answare for an acte of vncleanes, and shee made an escape; and wheras for what can be descerned her said escape was contrary to her fathers mind, the Court did condend to abate pte of the said forfeiture, as aforsaid.

Elizabeth Loe, being a single woman, is convicted of comitting whordom, and centanced by the Court to suffer corporall punishment by whipping, which accordingly was pformed.

And wheras shee accused Phillip Leanard to be the father of the child begotten on her by the said acte of vncleanes, wherof hee hath not cleared himselfe to the satisfaction of the Court, hee is ordered and required by the Court to allow towards the keeping of the child two shillings and six pence a weeke in currant marchantable corne, att prise currant att times of payment, or two shillings p weeke in currant siluer mony of New England, vntill the child, if it liues, attaines to the age of 7 yeers from the date heerof.

The Court saw cause to tender her liberty to sweare, for the clearing of the case; the tenure of which oath followeth:—

You shall sweare by the name of the euerlasting God, that Phillip Leanard, of Marshfeild, is the reall father of the child last borne of youer body, begotten in whordom; which oath shee reddily tooke.

Phillip Leanard, of Marshfeild, in the jurisdiction of New Plymouth, nailer, stands heerby bound vnto the Godd and Court of Plymouth aforsaid in the penall sume of thirty pounds sterling; for the payment wherof well and truly to be made, hee heerby bindeth himselfe, his heires, executors, and adminnestrators feirly by these p<sup>s</sup>ents.

The condition of the aboue written obligation is such, that wheras the said Phillip Lenard is accused by Elizabeth Loe, widdow, of begetting her with child, wherof hee hath not yett cleared himselfe, if, therefore, hee, the said Phillip Leanard, hee, his heires, executors, adminnestrators, or assignes, shall and doe pay and make good vnto Elizabeth Loe, the mother of the child begotten as aforsaid, two shillings and six pence in good, marchantable corne, att prise cur-

rant att times of payment, or two shillings a weeke in currant siluer mony of New England, for and towards the bringing vp of the said child, vntill, if it liue, it doe attaine the age of seauen yeers from the date heerof, that then the abouewritten obligation to be void and of non effect, or otherwise to remaine in full force, strength, and vertue.

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5 June.  
WINSLOW,  
Gov<sup>r</sup>.

Jane Barlow, the wife of Gorge Barlow, of Sandwich, haucing bin p̄sented for selling liquore to an Indian, her plea being that what shee did in that behalfe was ignorantly done, and engageth that shee neuer doe the like any more, the Court saw cause to passe it by, on condition that if euer heer-after shee be taken selling liquore to any Indian, that then shee shall pay a double fine.

\*The Court, takeing notice of the free and orderly choise of M<sup>r</sup> Nicholas Pecke to be ensigne bearer of the milletary companie of Rehoboth, de approue of and appoint the said Nicholas Pecke to be ensigne bearer of the said companie.

[\*182.]

Wheras seuerall of the councell of warr of the towne councell of Rehoboth being lately deceased, wherby there is a vacaneye in their towne councell in that respect, the Court doeth approue and establish Ensigne Nicholas Pecke, Serjeant Thomas Reed, M<sup>r</sup> Samuell Newman, and Serjeant Willmoth to be of the councell of warr in Rehoboth.

Willam Perrey, of Scittuate, declaring to the councell of warr that hee is very much disabled in body by reason of a wound receiued in the service of the cuntryes service in the late warr, and therby vnfit to bear armes in training, desiring to be freed from publicke exereyse in that kind, the councell sees cause, therefore, heerby to free him from publicke training in the milletary companie of Scittuate.

Daniell Wilcockes is graunted the sume of ten pounds, in consideration of a considerable charge by him sustained in answare of a suite comēced against him att Rhode Iland and tryed there, and a verdict of twenty pound siluer mony obtained against him, to make good the charge of a man lately cured, which man was one of the wounded men that were wounded in the late warr.

March the 25, 1678.

Wee, whose names are vnderwritten, being required by authoritie as a jury to serch out the cause of the death of the child of Anne Batson, wee doe find as followeth : —

That wee saw nothing that might be the cause of its death, but onely att the lower p̄te of the belly and the private members there being a settling of red and blacke, and the members being swelled; and, further, wee required

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5 June.

WINSLOW,  
Gov<sup>r</sup>.

Anne Batson and seuerall of the family to touch the dead child, but ther was nothing therby did appeer respecting its death.

ANTHONY SNOW,  
JOHN BOURNE,  
JOHN BRANCH,  
JOSIAH SNOW,  
NATHANIEL WINSLOW,  
ARTHER HOWLAND,  
SYMON ROUSE,  
ABIGAILL SNOW,  
FAITH WINSLOW,  
MARTHA POWELL,  
MARY WILLAMSON,  
MARY BRANCH.

Wee, whose names are heervnto subscribed, being, this sixt of May, 1678, impanelled vpon the corronors enquest to make inquiry and true p̄sentment make of the cause and manor of the death of Thomas Totman, doe declare, that wee find noe other thinge or cause but onely his owne wilfull absenting himselfe from food to be the cause and meanes of his death. In witnes wherof wee haue sett to our hands.

WILLAM PEAKES,  
JOHN SUTTON,  
ROBERT WHETCOM,  
ISRAELL CUDWORTH,  
JOHN BRIGGS,  
ANTHONY DODSON,  
JAMES BRIGGS,  
BENJAMINE PEIRSE,  
JOHN BOOTH,  
JAMES HOLBROOK,  
JOSEPH HOUSE,  
CHARLES WELLS.

Wee, whose names are vnderwritten, being sworne to view the corpes of Samuell Drew, deceased, the 21 day of May, 1678, doe judge, according to our best judgment, as followeth: that going on board of a shalopp, finding there a bottle of liquor, and drinking soe much of itt, that, as hee went to gett out

of the boate, hee fell from the boate into the water and sand, which wee judge was the cause of his death.

1678.

5 June.  
WINSLOW,  
Gov<sup>r</sup>.

WILLAM HARLOW,  
GORGE WATSON,  
Serjeant TINKHAM,  
WILLAM CLARKE,  
JAMES COLE,  
Leiftenant HOWLAND,  
NATHANIEL SOUTHWORTH,  
THOMAS MORTON,  
JOSEPH DUNHAM,  
RICHARD WILLIS,  
ANDREW CLARKE,  
EPHRAIM MORTON.

Taken before Major Bradford the day and yeer first above written.

\*Edward Wanton, for disorderly joyning himselfe in marriage with his now wife in a way contrary to the order of this goument, is fined to the vse of this collonie the sūme of ten pounds.

[\*183.]

It is ordered by the Court, that the Gov<sup>r</sup>, M<sup>r</sup> Hinckley, Major Cudworth, and the Treasurer be a cōmittee to review the lawes of this collonie, and to reduce them into one vollume, and to put them into such order as they may more reddily conduce to our generall vse and benefitt; and whatsoeuer they shall doe respecting, shalbe exhibited to the next Generall Court for their concurrence and approbation.

A Cobby of a Warrant sent from the Court to Taunton, as followeth.

New Plymouth to the constables of Taunton, or either of them, greet, &c: These are, in his ma<sup>ties</sup> name, to will and cōmaund you, on receipt heerof, to warne your towne to come together to make a rate to defray some charges that did arise among you in the time of the late warr with the Indians, and yett not payed, viz<sup>s</sup>, for billeting Captaine Freeman and his men and their horses, and for billeting some men left in your towne by M<sup>r</sup> Saberey, and for billeting some of your owne towne souldiers after they were pressed, viz<sup>s</sup>, such as were placed forth by the constable, and the constable requiring men to billett them, and likewise to pay for beeve which was disposed off when Cap<sup>t</sup> Freeman was att your towne, either by Cap<sup>t</sup> Freeman or any of your eclect men, for the releiffe of some of your poor, whoe were in extreamty, and alsoe to pay for carrying Jane Hallowey to Plymouth. The Court, haue-

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ing taken these things into consideration, doth see good reason to place the charge of these fore mentioned particulars on your towne; therefore fayle not in any of the particulars.

This was an order of Court ordered to be sent as abovesaid the last Court, but neglected by those that should haue carryed it, was sent this Court in forme of a warrant.

5 July.  
[\*184.]

*\*At the Court of his Ma<sup>tie</sup> holden at Plymouth, for the Jurisdiction of New Plymouth, the fift of July, 1678.*

BEFORE Josiah Winslow, Esq <sup>r</sup> , Gov <sup>r</sup> ,	John Freeman,
John Aldin,	Constant Southworth,
Thomas Hinckley,	James Browne, and
William Bradford,	James Cudworth,
Assistants, &c.	

**L**IBERTIE was granted vnto Mr Samuell Saberry, of Duxburrow, to sell liquors vnto such sober minded neighbours as hee shall thinke meet, soe as hee sell not lesse then the quantie of a gallon att a time to one pson, and not in smaller quantities by retaile, to the occasioning of drunkenes.

Gorge Barlow doth heerby acknowledge himselfe to stand bound vnto our so<sup>er</sup> lord the Kinge and the collonie of New Plymouth in the penall sume of ten pounds; for the payment wherof well and truly to be made, hee heerby bindeth himselfe, his heires, executors, and adminnestrators, feirmly by these p<sup>r</sup>sents.

Released.

The condition of the aboue written obligation is such, that wheras Gorge Barlow, aboue bounden, is accused to haue caryed factiously and turbulently in the towne of Sandwich, and particularly in a puerse way against Mr John Smith, the teacher of Gods word there, if, therefore, the said Gorge Barlow shall and doe psonally appeer att the Court of his ma<sup>tie</sup> to be holden for this go<sup>u</sup>ernment att Plymouth on the last Tusday in October next after the date heerof, then and there to make further answare in reference to the p<sup>r</sup>misses, and not depart the said Court without lycence, that then, &c.

Ephraim Doan, being bound ouer to this Court, appeered to answare the complaint of Jawannum, late wife of James Pequin, of Billingsgate, as suspected by her and Nicholas to haue bin an occasion of the violent death of the said Pequin, her husband.

This Court, being in an incapassitie to make tryall therof, in regard of the absence of the grand inquest, refered the tryall therof vnto the Court of his ma<sup>tie</sup> to be holden att Plymouth on the last Tusday of October the next after the date heerof, in order whervnto they tooke sufficient securitie for the appeerance of the said Doane, and dismissed him vntill the said Court.

This Court haue appointed and impowred John Irish, of Saconett, to serue in the office of a constable att the said Saconett, and his libertyes and wardshipp to extent to Puncateesett and places ajacent, and soe to Pocassett, and as farr as the Fall Riuer, and by speciall order haue impowē Cap<sup>t</sup> Benjamin Church to adminnester an oath to him.

Nathaniel Firrandall, for his wifes frequency in selling cyder to the Indians, contrary to order of the Court prohibiting the same, is fined the summe of twenty pounds.

Richard Siluester, of Milton, for comitting fornication with the daughter of old Leonard, of Taunton, is centanced by the Court to pay a fine of five pound; and in case hee be not married, or doe not marry the said woman, then hee is to pay other five pound, according to the law.

Thomas Paine, of Eastham, doth acknowledg himselfe to stand vnto the Godd and Court of Plymouth in the penall summe one hundred and twenty pound sterling; for the payment wherof well and truly to be made, hee heerby acknowledgeth himselfe, his heires, executors, adminnestrators, and assignes, feirly by these p<sup>s</sup>ents.

The condition of the abouewritten obligation is such, that wheras Mary Rogers, of Eastham, widdow, hath obtained of this Court tres of adminnestration to adminnester on the estate of James Rogers, of Eastham aforsaid, late deceased, if, therfor, the said Mary Rogers, widdow, the relict of the said James Rogers, shall and doe pay all such debts and legacyes as are due and owing to any from the said estate, soe farr and by equall pr<sup>o</sup>rtion as the said estate will amount vnto, and dispose of the remainder therof according to order of Court in that case prouided respecting the same, and keep a faire account of her said adminnestration, and saue and keep harmles and vndamified the said Godd and Court from any damage that may acrew vnto them by her said adminnestration, that then the next aboue witten obligation to be void and of non effect, or otherwise to remaine in full force & vertue.

\*On the 12<sup>th</sup> of August, 1678, the James Frigate, soe called, ariued att Plymouth, in New England, M<sup>r</sup> Sollomon Blackleich comāunder in cheiffe, accompanied with one Cap<sup>t</sup> Robert Daniell and John Roads; they said they came from New Yorke the last port they came from, but came from Corralina thither; they stayed att Plymouth aforsaid seuerall weekes in repairing, alter-

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WINSLOW,  
Gov<sup>r</sup>.

12 August.  
[\*187.]

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ing, and fitting their shipp for the sea, their designe unknowne to the authoritic heer.

The honored Gov<sup>r</sup> and Councell of the Massachusetts, hauing notice of such a vessell att Plymouth, ill resented it, supposing it might be of ill consequence to the whole country, if permitted to goe on ou a privateering enterprize, which they feared, and for the preventing therof directed a letter to our honored Gov<sup>r</sup> and Councell by the hands of M<sup>r</sup> John Nelson and severall other marchants of Boston, therein and by them declaring the reasons of their suspicions, viz<sup>t</sup>, that whereas Blackeich, hauing bine lately att Boston, gaue noe account of himselfe and designs, but in a private way seduced a considerable companie of seamen to serue with them vnder a comission and prync to them unknowne, (if any,) which gaue them ground of suspition that they were in a way of piracye.

They also signified, that they doubted that it would be off ill consequence to abett, harbour, or assist those whoe in shew professe an oppen enmitie to the French, our neighbours, with whom wee ought to hold, as well as wee haue receiued all good correspondency, as likewise the euident detriment that wee had and did dayly receiue by the losse and ruining away of their seamen, severall of their vessells being retarded, and others wholly discouraged from goeing on in their lawfull designs, vpon the suspition and threats of the said Blackeich and his adherents.

Further, they requested our Councell for their p<sup>t</sup>icular and speciall serch into the designs of the forenamed p<sup>rs</sup>ons, and, if possible, to giue some sufficient satisfaction to his ma<sup>ties</sup> proclamation prohibiting any of his subjects to serue vnder any forraigne prince or state, &c, which they had lately received, and was hitherto unknowne to vs, and that noe pretence of forraigne comissions is allowed and fauored by the said his ma<sup>ties</sup> proclamation. They supposed that it would be best for p<sup>rs</sup>ent to obstruct the said vndertakers in their further proceedings respecting the p<sup>rs</sup>ises, and the rather because, as it is reported, if true, that they are said to be robbers of the said vessell.

The p<sup>rs</sup>ises, with other p<sup>t</sup>iculares of like nature considered, occasioned a seizure of the said vessell and supposed com<sup>mandors</sup> in order vnto further inquiry into this matter; and the said p<sup>rs</sup>ons before our Councell, and his ma<sup>ties</sup> said proclamation read in their audience, and vpon examination it appered, that the said John Roads had noe comission, or att least produced none, but being a debauched p<sup>rs</sup>on, and vnder centance of banishment for piracye from the Massachusetts gov<sup>r</sup>, and had broken prison att New Yoarke, was receiued on board this vessell in a private way; and as for the master, although hee gaue good satisfaction that hee was put in com<sup>mandor</sup> of the said shipp, and



impowered to improve her as a marchant man, but had noe comission made p̄ticularly to him as a privateer or man of warr, but had thought to acte by vertue of a Duch comission graunted vnto the aforesaid Cap̄t Daniell, which was *was* now rendered null and of non effect by his ma<sup>ties</sup> said proclamation, and was required to be surrendered vnto the custody of our Councell on that account; but hee, being not free soe to doe, tendered rather to engage before our Councell noe further to proceed by vertue of that comission because prohibited by his ma<sup>ties</sup> said proclamation; which ingagement indorsed on the said comission, it was further declared to be void and of non effect, onely retained by the said Cap̄t Daniell for his defence and securitie, because it appeared hee had formerly acted by vertue therof.

In fine, because the motions of the fore named vnderakers with their men and vessell was rendered very vncertaine, whether towards the French, as aforesaid, or otherwise, to the damage of the country, an imbergoe was layed on the vessell, and a cession required of the said vnderakers from further proceeding respecting the p̄mises vntill further securitie can be giuen for the safety of their future motions on that account; and the said John Roads comitted to durance vntill hee can be returned to New Yorke, from whence hee made his escape.

\*New Plymouth, in New England, in America.

1678.

12 August.  
WINSLOW,  
Gou<sup>r</sup>.

[\*188.]

To all people to whom these p̄sents shall come: Know yee, that I, Solomon Blackleich, comāunder of the James Friggett, being by the disposing and all ordering hand of Gods providence ariued in the harbour of the towne of New Plymouth aforesaid, and in the said towne, of whole and sound mind, and of a good and p̄fect remembrance, thanks be to God, notwithstanding being weake of body through sicknes, not knowing how soon it may please God to change my life vnto death, haue therfore made, and doe by these p̄sents make and ordaine, this my p̄sent testament, containing heerin my last will in manor and form following: Imp̄mes, I bequeath my soule to God that gaue it, and my body to the dust. Item, my will is, that my servant, Thomas Maca, serue my wife, Sindeniah Blackleich, or her order, two yeers in Catalina, and then the remainder of his time I freely giue him; and release my servant, Thomas Fenden, his whole time, to be released att such time as hee can haue oppertunity to gett to his father or mother; and for my other servant, Edward, my will is hee shalbe released when hee hath served one whole yeer in the shipp James Friggett. Item, my desire and will is, that my child or children be att the dispose and care of bringing vp of my wife, Sindeniah Blackleich. Item, I will and bequeath vnto my deare and loueing wife, Sin-

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WINSLOW,  
Gov<sup>r</sup>.

deniah, for her and my childrens comfort, my debts and legacyes being first payed, all my estate whatsoever and whersoever it may be found, be it lands, monyes, goods, cattle, or chattles, or debts, or any other estate whatsoever that I now haue in England, Cattalina, New England, or any other place whatsoever, or shall or may haue due, owing, or belonging vnto mee in any of the aforsaid places whatsoever, lett it be in specue whatsoever, I giue it all to my deare and loueing wife as aforsaid; and I doe by these p<sup>s</sup>ents nominate, ordaine, and appoint my aforsaid loueing wife, Sindeniah Blackleich, to be my whole and sole executrix and adminnestrator on my said estate, to pay all such debts and legacyes as are due out of the estate, and to receiue all such debts or other estate whatsoever as is due to mee. And I doe by these p<sup>s</sup>ents nominate and appoint my loueing frinds, Collonell Joseph West and Captaine Robert Daniell, to be the ouerseers of this my will; and doe impower them by these p<sup>s</sup>ents to call M<sup>r</sup> Ralph Marshall and M<sup>r</sup> Gorge Cauty to an account, and to take and receiue of and from them all my estate whatsoever, in whatsoever specue it may be found, and to recouer it by law if occation require, for the vse and benifitt of my aforsaid executrix, reuoakeing all former wills and testaments. Hoping that this my last will and testament will remaine feirme and inviolable, I, the said Sollomon Blackleich, haue heervnto put my hand and seale, this thirteenth day of September, one thousand six hundred seauenty and eight.

SOLLOMAN BLACKLEICH, and a seal.

Signed and sealled in the p<sup>s</sup>ence of  
John Colle.

I, Willam Crow, doe testify, that I writt this will of M<sup>r</sup> Sollomon Blackleich; the substance and instructions therof I had from the aboue said John Colle, whoe stood between mee and the said M<sup>r</sup> Blackleich, whom I very well knew spake to the said Colle, by his voyce, though I could not goe in to him by reason of the sicknes. Taken vpon oath by the said Crow, this 24<sup>th</sup> day of September, one thousand six hundred seuenty and eight, att the towne of Duxberry, in the collonie of New Plymouth, in New England.

Before mee, JOHN ALDEN, Assistant.

11 September. \*M<sup>r</sup> Robert Daniell.

[\*190.]

Sir: Since it hath pleased God to visitt me in this condition, it giueeth mee great cause to beleieue my dayes are not longe in this world; therefore my desire and order is, that after my death, you take possession of my shipp, James Friggett, and with all possible conveniency depart this harbour for Barbadoes, and from thence in any p<sup>t</sup> of America vse her on any designe or employment, as

you shall thinke most convenient and beneficiall for the owners ; for I must needs confesse, that by reason of my misfortunes in the disastors of the seas, my owners cargoe being spent, you haue noe other then a bare and naked shipp to worke with ; yett through my good thoughts of youer industry, I doubt not but the shipp may for the future proue advantagious to them. For the better compliance with their order, I desire that with the first you advise them of all youer proceedings, and apply youerselfe to them for further order ; the which after once receiued, doubt not youer compliance, haueing little else to trouble you ; once more requesting youer extraordinary care in the pformance of this last desire of youer loueing frind,

1678.

11 September.  
WISLOW.  
Ger<sup>h</sup>.

SOLLOMON BLACKLEICH.

Plymouth, the 11<sup>th</sup> of September, anno Doñ 1678.

Signed in the p̄sence of

John Colle,

Joseph Goowin.

\*New Plymouth.

[\*192.]

A trew Inventory of the Goods on board and Nessesaries belonging to the Shipp James Friggett, of London, wherof M<sup>r</sup> Sollomon Blackleich, deceased, was Comāunder, and is now in the Costody and vnder the Comāund of M<sup>r</sup> Robert Daniell, taken this twenty and seauenth Day of September, anno Doñ 1678.

Imp<sup>r</sup>, thirty and nine barrells of mackerell.

Item, 1 mayne sayle and fore sayle, halfe worne.

Item, 1 fore sayle, 2 topp sayles, one missen, one spred sayle and topp sayle, one topp stay sayle, two stedding sayles, and one top gallant sayle, all old.

Item, six great guns, eight musketts, one blunderbusse, 2 pistoles, 4 cutt-leses, one smale caske of powder.

Item, one caske of shott, and one of bullets, old water caske, 5 tunns.

Item, two good cables, one warpp, and three ankers suteable.

Item, one boate, with grapnell &amp; creeper, a mast, sayle, and oares.

Item, one suite of coullers, with wast-cloth, topp armore.

Item, the shipp James Friggett abouesaid.

Item, one compas, one pott, one kettle.

Item, one stew pann, one platter.

Item, 1 bowle, one grind stone.

Taken by vs,

PAULE CRANE,  
JOHN FREEMAN,  
JOHN COLLES.

1678.

11 October.  
WINSLOW,  
Gov<sup>r</sup>.

These three men, namly, Paule Crane, John Freeman, and John Colles, came before mee, this eleuenth of October, 1678, and tooke their oathes to the truth of this abovesaid inventory, soe farr as they knew to be all that did belonge to the shipp, and knoweth nothing ells considerable belonging to her; these, I say, tooke oath to the truth of this abouewritten inventory, the day and yeer aboue written.

Before mee,      CONSTANT SOUTHWORTH, Assistant.

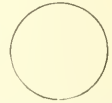
[\*193.]

\*These may certify any whom it may concern, that certaine Indians, liueing in or neare Sandwiche, in the jurisdiction of New Plymouth, in New England, whose names are Canootus, and Symon, and Joell, being apprehended, and on their confession convict of feloniously breacking open a house, and the chest of Zacheriah Allin, of Sandwiche aforesaid, and stealeing from him the summe of twenty five pounds in mony, they haueing lost or imbezelled the said mony, and noe other way appeering how hee should be satisfied for his losse and charges therevpon arising, the authoritie of this collonie haue centanced the aboue named Indians to be his perpetuall slaues, and haue and heerby doe authorise and impower him, the said Zacheriah Allin, to make sale of them, the said Canootus, Symon, and Joell, to any Christian pson or psons in New England or else where, as his lawfull slaues for tearme of their naturall life. In testimony wherof I haue heerevnto sett my hand, and affixed the publicke scale of this gofment, this 12<sup>th</sup> day of Nouember, 1678.

Marshfield, in New Plymouth.

JOSIAH WINSLOW, Gov<sup>r</sup>.

JOHN ALDEN, Assistant.



‡It is ordered by the Court, that in case Zacheriah Allin can not sell them, that this record shalbe heer extant against them, the said Canootus and Symon, that if euer they be taken faulty in like respect, that then they shalbe forthwith sold out of the country.‡

30 October.

[\*194.]

*\*At the Court of his Ma<sup>ty</sup> held at Plymouth, for the Jurisdiction of New Plymouth, the 30<sup>th</sup> of October, 1678.*

BEFORE Josiah Winslow, Gov<sup>r</sup>,

John Aldin,

William Bradford,

Thomas Hinckley,

John Freeman,

James Browne, and

Constant Southworth,

Assistants, &c.

1678.

30 October.  
WINSLOW,  
Gov<sup>r</sup>.

**L**IBERTY of administration is granted to Marke Snow and John Rogers, of Eastham, to administer on the estate of Thomas Rogers, of Eastham aforesaid, late deceased, and to be healed therein by the advice of M<sup>r</sup> Freeman and Cap<sup>t</sup> Sparrow.

Whereas Thomas Rogers, of Eastham, administrator to the estate of Leif<sup>t</sup> Rogers, his father, deceased, ended his life before his said administration was completed, this Court impowers Cap<sup>t</sup> Sparrow and John Rogers to complete and finally end the said administration.

James Walker, } are appointed and established by the Court to take  
James Wilbore, and } notice of such liquors as are brought in disorderly into the towne of Taunton, and to make  
Increase Robinson, } seizure theroffe according to order.

Whereas complaint is made by some of Taunton, that one Samuell Chiuericke is come into their towne disorderly, and contineweth there contrary to the mind of the townsmen, these are therefore to require the said Chiuericke either speedily to procure their approbation to stay there, or otherwise forthwith to depart the said towne.

In reference vnto the settlement of the estate of John Sauage, of Rehoboth, deceased, the Court haue ordered, that forasmuch as the estate consists mostly in land, and scarsly enough of other estate to pay the debts, this Court haue ordered and authorised Obadiah Bowin, Samuell Luther, and Hugh Cole by advice and councill to assist the widdow, Sarah Sauage, the relict of the said John Sauage, in the disposing and improuement of the said estate to the best advantage they can, for the payment of the debts and bringing vp of the children; and incase they be nessesitated to make sale of any of the lands for that purpose, they are heerby impowered soe to doe, it appeering to the Court that the lands were purchased, some of them to the impairing of the said estate; and incase any of the said estate is left when the debts are payed and the children brought vpp, that then the widdow being allowed the thirds, according to law, the remainder to be deuided in equall and alike proportions amongst the children then suruiuing when of age.

This Court doth agree with and engage vnto Theophilus Witherill, in regard of his being disabled in the late warr soe as hee is likely to be a cripple all his dayes, the sume of three score pounds in siluer m<sup>o</sup>ny of New England, ten pounds therof to be payed forthwith vpon demaund, and fifty pounds the next yeer; and the said Theophilus did accept therof in full satisfaction in respect of his wound receiued in the late warr.

Lycence is granted by the Court vnto Mary Williamson, whoc keepeth an ordinary att Marshfeild, to draw and sell beer, wine, and liquors, soe as

1678.

30 October.

WINSLOW,  
Gov<sup>r</sup>.

shee keep good orders in her house, that soe there be noe just cause of complaint in that respect.

Samuell Dunham, of Middlebery, appeared at the latter end of this Court to demaund charges for two witnesses in a case depending betwixt John Doten, plaintiffe, against the said Samuell Dunham, defendant, but could not haue them, the plaintiffe not being in the Court; therefore it resteth vntill the next Court.

[\*195.]

\*In reference vnto the settlement of the estate of Samuell Annible, late of Barnstable, deceased, the Court haue ordered, that the seate of land which was formerly M<sup>r</sup> Thomas Allins, be and heerby is settled vpon and vnto Samuell Annible, the eldest son of the said Samuell Annible, deceased; and hee is to pay or cause to be payed vnto his sister, Anna Annible, the full and just sume of twenty five pounds, the one halfe in currant siluer mony of New England, and the other halfe in current pay att prise current, att the deliuey therof within two yeers after hee is of age; and that the youngest son, John Annible, shall haue the farme that the aged widdow Annible hath her life in and now liueh on, which was p<sup>te</sup> of the lands which formerly Anthony Annible liued on; and that hee, the said John Annible, shall likewise pay or cause to be payed to his sister, Anna Annible, the sume of twenty five pounds, the one halfe in currant siluer mony of New England, and the other halfe in currant pay att prise current, att the deliuey therof within two yeers after hee comes to be of age.

And that the widdow shall haue all the moucables and all the stocke for euer, to be att her owne dispose for and towards the bringing vp of the children, hoping that shee will haue a care to bringe them vp in a way of education as the estate will beare, and to haue all the proffitts of all the lands vntill the said Samuell Annible and John Annible comes to be of age, and then the thirds in the proffitts of the lands dureing her naturall life.

Wheras it doth appeer to the Court, that Mistris Mary Wyatt, of Taunton, widdow, is in great nessesitie and a very low condition, in want of maintenance, notwithstanding the estate of her deceased husband came by her, these are to giue libertie, and appoint and authorise M<sup>r</sup> James Walker, Wilham Harvey, Seni<sup>r</sup>, and Walter Dean, or any two of them, to lease out some of the lands or meddowes of the said Leiftenant Wyatt, and the pay or benefitt arising therby shalbe improued for the releiffe of the said widdow, Mary Wyatt; and that the lands or meddowes shalbe leased out for fifty yeers, except the heire see cause to redeem it within that time; and incase the heire redeem it, hee shall pay all that the posesser hath bine att charge on it.

Wheras Cap<sup>t</sup> Fuller, att his death, bequeathed a certaine house, and land, and meddow vnto his grand son, Samuell Fuller, wherin Mistris Francis Fuller hath interest vntill her death, this Court haue appointed and impowered Elder

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WINSLOW,  
Gov<sup>r</sup>.

Chipman, and Thomas Huckens, and Mary Fuller, widow, the relict of Leiff Fuller, deceased, to rattify and conserme what Mistris Francis Fuller shall doe and agree vpon in reference vnto the letting and setting forth of the said land and meddow, and they consenting to what the said Francis Fuller shall doe respecting the premises, shalbe in full consermation therof for the full tearme it shalbe lett forth.

Wheras Hugh Stewert, adminnestrator of the estate of Thomas Phelpps, saith, that there is nothing left for seauen or eight children but an house añ land, which house falleth to decay, the rent not being sufficient to keep it in repaire, the Court gines libertie to the said adminnestrator, with the advice of John Thacher and John Miller, to make sale therof, and the mony to be secured by them vutill the Court shall demaund it, and see cause to order it for the good of the children.

\*1678, October. In answare to the petition prefered to the Court by Francis Combe, and likewise the Court being informed that Samuell Fuller is in a likelyhood to be procured to teach the word of God att Middleberry, they doe approue therof; and incase hee be obtained, and be likely to settle amongst them, doe heerby signify, that they will indeauor that the propriators of the lands within that township may be healpfull towards his maintainance.

[\*196.]

Francis Combe is lycenced by the Court to keep an ordinary att his house in Middleberry for entertainment of strangers, and is allowed to draw and sell beer, wine, and liquors there, for the entertainment and refreshment of trauelers, and is heerby required to keep good orders in his house, that there arise noe cause of just blame by his negligence in that behalfe.

Taunton, the second of August, 1678.

Wee, whose names are vnderwritten, being warned by the constable as a jury to take the view of a child named Mary Gould, aged about foure yeers or therabouts, being found in the riuer drowned, and haucing dilligently enquired into the matter, our apprehensions are, that the child came to its death by some accedent by falling in or adventuring to wade through, being taken vp out of the water by its mother, and past all meanes of recouery.

WILLAM HARVEY,	NATHANIELL THAYER,
WILLAM HOSKINS,	NICHOLAS STAUGHTON,
JOSEPH WILBORE,	JOSEPH WILLIS,
JOHN MAYCOMBER,	SAMUELL HOSKINS,
GYLES GILBERT,	HENERY HODGIS,
AUSTINE COBB,	JOHN KNAPP.

It was Mary Gould, the daughter of John Gould, of the towne of Taunton.

[Pages \*197, \*198, and \*199, are blank.]

1670.

29 May.  
[\*200.]PRENCE, Gov<sup>r</sup>.  
ANN<sup>o</sup>: 1670.

*\*An exact List of all the Names of the Freemen of the Jurisdiction of New Plymouth, transcribed by Nathaniel Morton, Secretary to the Court for the said Jurisdiction, the 29<sup>h</sup> of May, Ann<sup>o</sup> Dom<sup>i</sup> 1670.*

## Plymouth.

Mr Thomas Prence,	Gyles Rickard, Jun <sup>r</sup> ,
Capt <sup>r</sup> Wilham Bradford,	Benajah Pratt,
Mr John Howland,	Thomas Morton,
Mr John Winslow,	John Rickard,
Mr John Cotton,	Stephen Bryant,
Mr Thomas Cushman,	Mr Wilham Clarke,
Mr Thomas Clarke,	James Clarke,
Gorg <sup>e</sup> Watson,	Gorg <sup>e</sup> Bonum,
Robert Bartlett,	Joseph Dunham,
Samuell Eedey,	Samuell Ryder,
James Cole, Sen <sup>r</sup> ,	Abraham Jackson,
Wilham Hoskins,	Wilham Crow,
Nathaniel Morton,	James Cole, Jun <sup>r</sup> ,
Gyles Rickard, Sen <sup>r</sup> ,	Sarjeant Ephraim Tinkham,
Richard Wright,	Edward Gray,
John Dunham,	Jonathan Pratt,
Andrew Ringe,	Daniel Dunham,
Robert Finney,	John Doged, Sen <sup>r</sup> ,
Leiftenant Ephraim Morton,	Gorg <sup>e</sup> Morton,
Mr Joseph Bradford,	Ephraim Tilson,
John Wood,	Jabez Howland,
Jacob Cooke,	John Fallowell,
Samuell Dunham,	Thomas Cushman,
Samuell Fuller,	John Dotey,
Sarjeant Wilham Harlow,	‡Gorge Morton,‡
Thomas Lettice,	John Waterman.

## Duxburrow.

Mr John Aldin,	Mr Christopher Wadsworth,
Mr Constant Southworth,	Experience Mitchell,
‡Mr Wilham Collyare,‡ deceased,	Leif <sup>t</sup> Samuell Nash,
Mr John Holmes,	Phillip Delano,
‡Mr Constant Southworth,‡	



Moses Simons,  
 Henry Sampson,  
 ‡Francis Sprague, ‡  
 William Tubbs,  
 John Rogers, Seni<sup>r</sup>,  
 Abraham Peirse, Seni<sup>r</sup>,  
 \*Gor<sup>g</sup> Partrich,  
 Gor<sup>g</sup> Soule, Seni<sup>r</sup>,  
 John Washburne, Seni<sup>r</sup>,  
 M<sup>r</sup> Allexander Standish,  
 M<sup>r</sup> Josias Standish,  
 M<sup>r</sup> John Aldin, Juni<sup>r</sup>,  
 William Paybody,  
 Edmond Weston,  
 William Clarke,  
 Robert Barker,

‡John Washburn, Juni<sup>r</sup>, ‡  
 Abraham Sampson,  
 Francis West,  
 Benjamine Bartlett,  
 John Tracey,  
 Ensigne Jonathan Aldin,  
 Joseph Wadsworth,  
 M<sup>r</sup> Samuel Saberry,  
 John Sprague,  
 Samuel Hunt,  
 35. John Wadsworth,  
 Benjamine Church,  
 John Rogers, Juni<sup>r</sup>,  
 Samuel West,  
 Rodolphus Thacher.

1670.

29 May.

[\*201.]

## Scituate.

M<sup>r</sup> William Witherell,  
 M<sup>r</sup> Nicholas Baker,  
 Humphery Turner,  
 John Hewes,  
 Walter Woodward,  
 Edward Jenkins,  
 Samuel Jackson,  
 Thomas Clapp,  
 William Wills,  
 ||Leif<sup>t</sup> Isacke Bucke,||  
 Cornett Robert Studson,  
 John Williams, Juni<sup>r</sup>,  
 Isacke Chettenden,  
 Gor<sup>g</sup> Russell,  
 John Bryant,  
 Henry Ewell,  
 ‡John Daman, ‡  
 M<sup>r</sup> Thomas Kinge,  
 John Turner, Seni<sup>r</sup>,  
 John Turner, Juni<sup>r</sup>,  
 Thomas Pincen,

Stephen Vinall,  
 John Vinall,  
 Jeremiah Hatch,  
 Rodolphus Elmes,  
 ‡Isacke Bucke, ‡  
 Joseph Colman,  
 Walter Briges,  
 John Hollett,  
 William Brookes,  
 Richard Curtice,  
 William Curtice,  
 Walter Hatch,  
 Mathew Gannett,  
 Micaell Peirse,  
 John Hanmore,  
 Samuel Witherell,  
 John Bryant, Juni<sup>r</sup>,  
 John Cushen,  
 Anthony Collymore,  
 Peter Collymore.

1670.

29 May.  
[\*202.]

\*Sandwich.

M <sup>r</sup> Edmond Freeman, Seni <sup>r</sup> ,	Thomas Tupper, Juni <sup>r</sup> ,
M <sup>r</sup> Richard Bourne,	M <sup>r</sup> Edmond Freeman, Juni <sup>r</sup> ,
Thomas Tupper, Seni <sup>r</sup> ,	Stephen Skiffe,
James Skiffe, Seni <sup>r</sup> ,	Joseph Burgis,
‡William Bassett, ‡ deceased,	William Swift.

Taunton.

M <sup>r</sup> Gorge Shoue,	John Bryant,
Walter Dean,	James Phillips,
Richard Williams,	John Hatheway,
Leif <sup>r</sup> Gor <sup>g</sup> Macey,	John Cobb,
‡Gorge Hall, ‡	‡Thomas Deane, ‡
James Walker,	‡James Tisdall, ‡
John Tisdall, Seni <sup>r</sup> ,	‡John Hall, ‡
William Harvey,	‡Joseph Williams, ‡
William Hailstone,	‡James Leonard, Juni <sup>r</sup> , ‡
William Witherell,	‡Richard Burt, ‡
Thomas Linkolme,	‡Jonathan Brigges, ‡
Peter Pitts,	‡Aron Knap, ‡
Francis Smith,	Jonas Austine,
Samuell Smith,	Nathaniel Williams,
Ensigne Thomas Leonard,	M <sup>r</sup> John Pole,
Samuell Williams,	Aron Knapp,
John Tisdall, Juni <sup>r</sup> ,	Joseph Williams,
Israell Dean,	Encrease Robinson.
Edward Bobbitt,	

Yarmouth.

M <sup>r</sup> John Crow,	Yelverton Crow,
Thomas Falland,	Joseph Howes,
Emanuel White,	John Thacher,
James Mathews,	Henry Vincent,
M <sup>r</sup> Edmond Hawes,	Samuell Sturgis,
M <sup>r</sup> John Vincent,	Judah Thacher,
Jeremiah Howes,	Thomas Howes,
John Miller,	John Hawes,
Edward Sturgis, Seni <sup>r</sup> ,	Kanelme Winslow, Juni <sup>r</sup> .
Richard Saers,	

## \*Barnstable.

1670.

29 May.

[\*203.]

Mr Thomas Hinckley,	Abraham Blush,
Mr Nathaniel Bacon,	Austine Beirse,
Mr Thomas Walley,	John Jenkens,
Mr Thomas Allin,	Robert Shilley,
Mr Wilham Sarjeant,	John Scudder,
Elder Henery Cobb,	Thomas Laythorpe,
Eld John Chipman,	John Tompson,
Anthony Annible,	‡  Leifŕ,   Joseph Laythorpe,‡
Henery Rowley,	Gorge Lewis,
John Cooper,	John Howland,
‡Henery Cobb,‡	Wilham Dexter,
Ensigne Barnard Lumbert,	James Cobb,
Henery Bourne,	James Hamblen, Junir,
James Hamblen, Senir,	Thomas Lewis,
Mr Thomas Dexter, Senir,	35, James Lewis,
Captaine Mathew Fuller,	Job Crocker,
John Finney,	‡Shuball Dimacke,‡
‡John Chipman,‡	John Finney, Junir,
Wilham Crocker,	Samuell Allin,
Roger Goodspeed,	Pellatiah Laythorp,
Mr John Gorum,	Jabez Lumbard.
Thomas Huckens,	

## Marshfeild.

Major Josias Winslow,	Timothy Williamson,
Mr Samuell Arnold,	John Rouse,
Mr Kanelme Winslow,	Morris Truant,
Mr Josias Winslow, Senir,	Wilham Holmes,
Mr Thomas Besbech,	John Caruer,
Captaine Nathaniel Thomas,	Wilham Foard, Junir,
Leiftenant Peregrine White,	Jonathan Winslow,
John Dingley,	Nathaniel Thomas,
Robert Carver,	John Rogers,
Anthony Snow,	Samuell Sprague,
John Bourne,	John Foster,
Mr Anthony Eames,	Nathaniel Winslow,
Ensigne Marke Eames,	Jacob Dingley,
Wilham Foard, Senir,	Micaell Foard.
Mr Resolved White,	

1670.

29 May.

[\*204.]

||Mr Daniel Smith,||  
 ||Mr Noah Newman,||  
 Mr Stephen Paine,  
 Mr Thomas Cooper,  
 Richard Bowin,  
 Leiftenant Peter Hunt,  
 ‡Mr Noah Newman,‡  
 Nicholas Hyde,  
 ||Mr|| Wilham Sabine,  
 Nicholas Peeke,  
 Phillip Walker,  
 Nathaniel Paine,  
 Ensigne Henery Smith,  
 John Read,  
Samuell Newman,  
 Wilham Carpenter,

\* Rehoboth.

Gilbert Brookes,  
 John Peeke,  
 Anthony Perrey,  
 John Woodcocke,  
 Samuell Carpenter,  
 Samuell Peeke,  
 John Titus,  
 Jonathan Blisse,  
 Robert Fuller,  
 Gorge Kenericke,  
 Steuen Paine, Juni<sup>r</sup>,  
 Preserved Abell,  
 John Read, Juni<sup>r</sup>,  
 Peter Hunt, Juni<sup>r</sup>,  
 John Ormsbye,  
 Nathaniell Cooper.

Eastham.

Mr John Freeman,  
 Mr John Doane,  
 Edward Banges,  
 Nicholas Snow,  
 Josias Cooke,  
 Leiftenant Joseph Rogers,  
 Job Cole,  
 Daniel Cole,  
 Robert Vixon,  
 Steuen Wood,  
 Ensigne Wilham Merricke,  
 Henery Atkins,

Marke Snow,  
 Wilham Walker,  
 John Doan, Juni<sup>r</sup>,  
 Samuell Freeman,  
 Thomas Paine,  
 Jonathan Sparrow,  
 Benajah Dunham,  
 Gorg<sup>e</sup> Crispe,  
 Jonathan Banges,  
 John Banges,  
 Thomas Rogers,  
 Joseph Harding.

Bridgewater.

[\*205.]

\*Mr James Keith,  
 Mr Wilham Brett,  
 Thomas Haward, Seni<sup>r</sup>,  
 John Willis,  
 Samuell Tompkins,  
 John Carey,  
 Joseph Aldin,  
 Leiftenant Thomas Haward,

Arther Harris,  
 Nathaniell Willis,  
 Nicholas Byram,  
 Ensigne John Haward,  
 Samuell Packer,  
 John Eames,  
 Samuell Allin.

## Dartmouth.

John Cooke,  
John Russell,  
James Shaw,  
Arther Hathewey,

Wiltam Spooner,  
Samuell Hickey,  
Wiltam Palmer.

1670.

29 May.

## Swansey.

Captaine Thomas Willett,  
Mr James Browne,  
John Allin,  
Mr Nicholas Tanner,  
Nathaniel Pecke,

Hugh Cole,  
Sacaryah Eedey,  
Samuell Luther,  
Mr John Myles, Junir.

## Middleberry.

John Morton,  
Henry Wood, deceased,  
Jonathan Dunham,

Francis Combe,  
Wiltam Nelson, Seni<sup>r</sup>,  
Samuell Eaton.



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RECORDS  
OF  
PLYMOUTH COLONY.  
COURT ORDERS.  
VOL. VI.  
1678—1691.



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OF THE  
COLONY  
OF  
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IN  
NEW ENGLAND.

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## REMARKS.

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THE sixth and last manuscript volume of Court Orders of the Plymouth Colony comprises the records of the General Court and the Court of Assistants from the commencement of the session held in March, 1678-9. The pages of manuscript which are now contained in it were formerly distributed among other volumes of records. The original volume, as it now appears, is divided by the paging into two parts, which are distinguished in the printed copy by marginal entries.

The First Part is in the handwriting of Secretary Morton, and commences with the proceedings of the Court beginning on the eighth day of March, 1678-9, and ends with that of June, 1682. In this Part, several pages are recorded out of place in an unknown hand.

The Second Part commences in the handwriting of Secretary Morton, with a few entries made preceding the records of the Court held on the fifth day of March, 1683-4. The Part ends with the records of the colony, the last entry being dated the seventh of July, 1691.

During the periods above mentioned, the Governors of the colony were Mr. Josiah Winslow, who died in office on the eighteenth of December, 1680, and Mr. Thomas Hinckley, who served in that capacity until the union of the colony with that of the Massachusetts Bay in the year 1692, under the provincial charter of October, 1691, with the exception of the short period of time of the Andros usurpation. Several persons acted at times as secretary of the colony, namely, Messrs. Nathaniel Morton, Nathaniel Clarke, and Samuel Sprague; and in their handwriting this volume of records was kept, as will be found indicated in the proper places in the printed pages.

N. B. S.





## MARKS AND CONTRACTIONS.

A Dash ~ (or straight line) over a letter indicates the omission of the letter following the one marked.

A Curved Line ~ indicates the omission of one or more letters next to the one marked.

A Superior Letter indicates the omission of contiguous letters, either preceding or following it.

A Caret ^ indicates an omission in the original record.

A Cross x indicates a lost or unintelligible word.

All doubtful words supplied by the editor are included between brackets, [ ].

Some redundancies in the original record are printed in *Italics*.

Some interlineations, that occur in the original record, are put between parallels, || ||.

Some words and paragraphs, which have been cancelled in the original record, are put between † †.

Several characters have special significations, namely:—

Ⓐ, — annum, anno.  
 ā, — an, am, — curiā, curiam.  
 ā, — mātrate, magistrate.  
 b̄, — ber, — numb̄, number; Ro**bt**, Robert.  
 c̄, — ci, ti, — ac̄con, action.  
 c̄o, — tio, — jurisdic̄cōn, jurisdiction.  
 c̄, — cre, cer, — ac̄s, acres.  
 d̄, — d̄d, delivered.  
 ě, — Trēr, Treasurer.  
 ē, — committē, committee.  
 ĝ, — ĝñal, general; Georĝ, George.  
 h, — chr, charter.  
 ĩ, — begĭg, beginĭg, beginning.  
 ł, — łre, letter.  
 n̄, — mm, mn, — coñittee, committee.  
 m̄, — recoñdaĉcōn, recommendation.  
 n̄, — mer, — formly, formerly.  
 n̄, — month.  
 ñ, — nn, — Peñ, Penn; año, anno.  
 ñ, — Dñi, Domini.  
 ũ, — ner, — manñ, manner.  
 õ, — on, — mentiõ, mention.

õ, — mõ, month.  
 p̄, — par, por, — p̄t, part; p̄tion, portion.  
 p, — per, — pson, person.  
 p, — pro, — pporcōn, proportion.  
 p̄, — pre, — p̄sent, present.  
 q, — qstion, question.  
 q̄, — esq̄, esquire.  
 r̄, — Apr̄, April.  
 s̄, — s̄, session; s̄d, said.  
 s̄, — ser, — s̄vants, servants.  
 t̄, — ter, — neuĭ, neuter.  
 t̄, — capĭ, captain.  
 ũ, — uer, — seũal, seueral.  
 ũ, — aboū, aboue, above.  
 v̄, — ver, — seval, several.  
 w̄, — w̄n, when.  
 y<sup>e</sup>, the; y<sup>m</sup>, them; y<sup>n</sup>, then; y<sup>t</sup>, their;  
           y<sup>s</sup>, this; y<sup>t</sup>, that.  
 5, — us, — vilibz, vilibus.  
 ℓ, — es, et, — statutℓ, statutes.  
 ℓĉ, &ĉ, &c<sup>s</sup>, — et cætera.  
 viz<sup>o</sup>, — videlicet, namely.  
 /, — full point.



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# PLYMOUTH COURT ORDERS.

1678—1691.

VOL. VI.

1

(1)





1678-9. of M<sup>r</sup> Thomas Cooper, gaurdian to the eldest son, being assisted therein by the advice and assistance of M<sup>r</sup> Daniell Smith and M<sup>r</sup> Nickolas Pecke, and notwithstanding, that the widdow shall haue libertie, in case of vrgent nessesitie for the payment of a debt, to make sale of a psell of land belonging to the said estate, lying on the north syde of the towne of Rehoboth.

8 March.  
WINSLOW,  
Gou<sup>r</sup>.  
PART I.

Eres of adminnstration is graunted by the Court vnto Mistris Elizabeth Smith, to adminnester on the aforesaid estate, and M<sup>r</sup> Daniell Smith and M<sup>r</sup> Nicholas Pecke to be supervisors therof.

In reference vnto seuerall yeers service pformed by John French vnto John Kingsley, his grand father, in his life time, it was mutually agreed by and between Elded Kiñsley, executor vnto the estate of the said John Kingsley, and the said John French, before the Court, that the said John French shall have and injoy as his owne proper right fifty acrees of vpland, layed out in the north purchase att Rehoboth, which soñtimes was the land of the said John Kingsley, and the meddow belonging to the said fifty acrees of land, and the one halfe of the comõn belonging to the said vpland, as in full satisfacõn for his said service, to belong and appertaine to him, the said John French, to him and his heires and assignes for euer.

In answare vnto the petition of the inhabitants of Mannamoiett, wherin they applye themselues to this Court, that they may be a townshipp of themselves, by reason of theire remotenes from the towne of Eastham, that they can not comfortably attend the worship of God there, they manifesting that they are desirous to build a meetinghouse, and to procure M<sup>r</sup> Crosbey, or some other orthadox minnester, to despence the word of God amongst them, this Court doth determine, that if they see doe, and apply themselues to the next June Court, and then giue the Court a good assurance therof, as alsoe to pforme all other dutyes which concern a well ordered townshipp, they shalbe a township of themselves.

In reference vnto the settlement of the estate of Richard Willis, deceased, the Court haue ordered, that the widdow shall haue the garden place, and house standing thereon, and all the psonall estate, and that Ruhamah, the daughter of the said Richard Willis, shall haue his psell of land att Middlebery, and a psell of meddow, which his father in ^ George Bonum, gaue him, being six acrees, be it more or les.

The Court being satisfied that a certaine boate, wherof one Moses Bartlett, deceased, was m<sup>r</sup>, was left by him att Mannamoite, that the said boate belongeth to Joseph Peirse, of Boston, the Court haue ordered Captaine



Freem x to appoint her to be deliuered to him or his order, vpon his or their demand.

\*Whereas, by order of Court bearing date the 2<sup>cond</sup> of Nouember, 1676, the estate of M<sup>r</sup> Henery Andrewes, of Taunton, was settled to the heire a double portion of the said estate, and all the five daughters to haue a single p<sup>te</sup>, this Court doth appoint and impower M<sup>r</sup> Browne, Wilfam Harvey, senior, and Deacon Dean, to mak a deuision of those lands and houses that were not settled vpon the widdow, into seauen p<sup>tes</sup>, the son and heire to haue a double p<sup>te</sup>, and the first choise, and the eldest daughter to haue the second choise, next vnto the heire, and the remainder to be deuided by lott to the rest of the sisters, and that the house now standing on the land shall likewise be apprised and vallued, and the eldest son and heire to haue a double interest therin, and the daughters alsoe shall haue an equall interest in the said house vntill they come to age, or come to other composition and agreement about the said p<sup>m</sup>ises.

In reference vnto the psonall estate of John Smith, late of Eastham, deceased, the estate being smale, and diuers children to be brought vp, this Court haue settled the estate wholly vpon the widdow, for the bringing vp of the children, onely that the widdow haue the house and land during her naturall life, and not to be estranged from the children, vnles extrem nessesitie put her on the sale of it, for the bringing vp of the said children.

In reference vnto the settlement of the estate of Thomas Lucas, deceased, the Court haue ordered that the widdow shall haue the free vse of the housing and lands vntill her soñes come of age, and then shall haue her thirds of the benefitts of the said housing and lands, during her naturall life, and the sume of thirty eight pounds out of the moueables, in such p<sup>t</sup>iculars as shalbe most suitable, and the vse of the whole vntill the children come to their respectiue ages, or the day of marriage.

And that Benonie, the eldest son, is to haue the house, and halfe the garden plott, and halfe the barne, and three acres of meddow, and the graunt of four acres of land, excepting his mothers thirds in the p<sup>m</sup>isses, during her naturall life, and the fifty acres of land granted by the towne to his brother, John Lucas, deceased, and the sume of fiue pounds and six shillings out of the psonall estate.

And that Samuell Lucas shall haue the shopp, and the halfe of the barne, and the halfe of the garden it stands on, and one acree of meddow, excepting his mothers thirds in the land and barne, and the sume of eleuen pound and six shillings in the psonall estate.

1678-9.

8 March.  
WINSLOW,  
GOU<sup>r</sup>.  
PART I.  
[\*2.]

1678-9.

8 March.  
WINSLOW,  
Gov<sup>r</sup>.  
PART I.

And that Mary Lucas shall haue 12<sup>li</sup> as her filliall portion, and Bethya to haue 12<sup>li</sup> as her portion, and Mehittable shall haue ten pounds.

Seauen shillings is allowed by the Court vnto Seth Pope, to be demaunded of some Indians for expence of time in their behalfe, in returning guns.

Memorand : that Robert Gibbs be warned to the Court to answare for his winowing of barley on the Lords day, and for feching of plow irons from Rhode Iland on the Lords day.

Thomas Burman, for being marryed in a clandestine way, contrary to the law of this gouernment, is fined five pounds to the vse of the collonie, and the said Thomas Burman ingaged before the Court that when any officer cometh to demaund his fine, hee will shew him soe much of his estate in stable comoditie as will answare the said fine.

[\*3.]

\*Samuell Hall, of Taunton, stands bound heerby vnto the Court for the jurisdiction of New Plymouth in the penall sume of thirty pounds sterling, for the payment wherof, well and truely to be made, hee heerby binds himselfe, his heires, executors, and adminnestrators.

The condition of the aboue written obligation is such, that wheras the aboue bounden Samuell Hall hath obtained letters of adminnestration from the Court to adminnester on the estate of Henery Green, deceased, if, therefore, the said Samuell Hall hath, shall, and doe pay or cause to be payed, all such debts and legacyes as are due and owing to any pson or psons from the said estate, soe farr and by equall proportion as the estate will amount vnto, and keep a faire account of his said adminnestration, and present the same before this Court in due and convenient time, and saue harmles and vndamnified the Gou<sup>r</sup> and Court of this jurisdiction from any damage that may acrew vnto them by his said adminnestration, that then this obligation to be void and of none effect, or otherwise to remaine in full force, strength, and vertue.

Robert Standford, of Scittuate, acknowledgeth himselfe	}	00 : 20 : 00
heerby to stand bound vnto our sov <sup>r</sup> lord the Kinge		
in the penall sume of . . . . .		

The condition of the aboue written obligation is such, that wheras Lydia, the wife of Isacke Hanmore, hath accused Robert Stanford, aboue bounden, to be the father of the child lately borne of her body, wherof hee hath not yett cleared himselfe to the satisfaction of the Court, if, therefore, the said Robert Stanford doe pay or cause to be payed, eighteen pence p week for the tearme of two yeers from the date heerof, and longer time if the Court shall

1678-9.

8 March.  
[WINSLOW,  
GOVERNOR.]  
PART I.

see reason, to be deliuered to the said Lydia or her order, towards the bringing vp of the said child, if it liue soe long, to be payed in good Indian corne, att prise currant, or in other good and marchantable pay, vnlesse hee cleare himselfe of the said fact in the interem, or come to other composition with the said Lydia and her husband; that then the said obligation to be void and of non effect, or otherwise to remaine in full force, strength, and vertue.

Cap<sup>t</sup> Benjamine Church is appointed by the Court for the p<sup>s</sup>encts of Saconett and Pocassett, to issue out warrants against any p<sup>s</sup>on or p<sup>s</sup>ons for the prophanation of the Lords day, or other vicious practices, contrary to the lawes of this gou<sup>r</sup>ment, to answare the same att the next Court of his ma<sup>tie</sup> to be holden att Plymouth next after the transgression is comitted; likewise hee is heerby impow<sup>er</sup>ed to adminnester an oath to any witnesses for the tryall of a case, as occation may require; and incase any p<sup>s</sup>on or p<sup>s</sup>ons residing in this gou<sup>r</sup>ment shall haue occation to comēce a suite against any stranger or foraignor, it shalbe lawfull for the said Cap<sup>t</sup> Benjamine Church to issue out warrants in his ma<sup>ties</sup> name, to bind ouer by a<sup>r</sup>rest or attachment any p<sup>s</sup>on or p<sup>s</sup>ons to answare the said suite, att the Court of his ma<sup>tie</sup> holden att Plymouth next after the complaint is made; and likewise to graunt subpenaies as occation may require, to giue euidence in a case either in matter of fact or for the tryall of an action, as there may be occation, within the p<sup>s</sup>incts of Saconett, &c.

Sa<sup>m</sup> Shiffericke, of Taunton, for prophane swearing, fined ten shilling, and for breaking the Kinkes peace, fined three shillings and f x pence.

\*Wheras Daniell Turner, Joseph Studley, and Peter Worthylake, are complained of for their abusive frequenting the ordinaries in Scittuate, spending their time there, and expending their estates, soe as they are become very poor, these are therefore to require all such ordinary keepers as are in Scittuate to take effectuall course that the said p<sup>s</sup>ons be not entertained soe frequently and vnnessesarily, contrary to the lawes of this gou<sup>r</sup>ment, in their houses, nor any other like them, as such ordinary keepers will answare it att their p<sup>r</sup>ill.

[\*4.]

The sixt day of January, 1678, being warned vpon a jury to view the body of Thomas Lucase, of Plymouth, deceased, and to make inquiry how hee came by his end, wee, whose names are vnder written, find it as followeth: hee being very ancient & decrepid in his limbes, and it being very cold, and haueing drunk some drinke, gott a violent fall into a ditch, in a very dangerous

1678-9. place, could not recouer himselfe, but bruised his body, and lying all night in the cold, soe hee came by his end.

8 March.  
WINSLOW,  
Gov<sup>r</sup>.  
PART I.

sworn.	{	GEORGE WATSON,
		JOHN DUNHAM,
sworn.	{	SAMUELL JENEY,
		JOHN DOTEN,
sworn.	{	ANDREW CLARKE,
		ABRAHAM JACKSON,
sworn.	{	JOHN RICKARD, Seni <sup>r</sup> ,
		ROBERT BARROW,
sworn.	{	SAMUELL DUNHAM,
		of Middlburow,
sworn.	{	JAMES COLE,
		JOSEPH DUNHAM,
	{	JONATHAN BARNES.

1679.

May the 26<sup>th</sup>, 1679. James Colbey, being found afloat, and brought to shore, and there being hast to enterr his body, the constables of Rehoboth p<sup>r</sup>sently called a jury together, the corpes not admitting of delay to send to Swansey to the worpp<sup>l</sup> M<sup>r</sup> James Browne.

28 May.

The jury are as followeth : —

sworn.  
Leif<sup>t</sup> Peter Hunt,  
Ensigne Nicholas Pecke,  
Wil<sup>l</sup>am Carpenter,  
sworn.  
Th<sup>o</sup> Cooper, Juni<sup>r</sup>,  
John Wilmoth,  
Moses Read,

sworn.  
John Perrum,  
Noah Mason,  
Jerrett Ingarum,  
sworn.  
George Kenricke,  
Nicholas Iyde,  
John Johnson.

Wee, whose names are aboue written, being called together by the constables of Rehoboth, to make inquisition and serch how the said James Colbey came by his death, wee haue accordingly to the best of our vnderstanding that God hath giuen vs, made serious inquisition and serch into it, and wee doe judge and conclude, that the said James Colbey was drowned att the saw mills, vpon Patucket River, by sliping or falling accidentally into the water, viz<sup>d</sup>, the said riuer, and that neither himselfe nor noe other p<sup>r</sup>son or p<sup>r</sup>sons were accessory to his death, but hee went thither to catch fish, being the 20<sup>th</sup> day of May, 1679.



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Sandwich :	Ensigne Marke Eames, John Bourne.
M <sup>r</sup> Edmond Freeman, John Blackwell, Thō Tupper.	Rehoboth :
Taunton :	M <sup>r</sup> Daniell Smith, Leifτ Peter Hunt, Ensigne Nicholas Pecke.
Leifτ Macye, Wiltam Harvey, Walter Deane, James Walker, Samuell Smith.	Eastham :
Yarmouth :	Capτ Jonathan Sparrow, Marke Snow, John Done.
Edmond Hawes, Ensigne Thacher, Edward Sturgis, John Miller, Jeremyah Howes.	Bridgwater :
Barnstā :	Samuell Edson, Seni <sup>r</sup> , John Willis, Seni <sup>r</sup> , John Carey, Seni <sup>r</sup> .
Leifτ Laythorpe, Leifτ James Lewis, M <sup>r</sup> Barnabas Laythorp.	Swansey :
Marshfeild :	M <sup>r</sup> John Allin, Capτ John Browne, Samuell Luther.
Anthony Snow,	Dartmouth :
	John Cooke, John Russell, Arther Hathewey.

[\*6.]

*Plymouth. The Deputies of the seuerall Townes.	
Leifτ Ephraim Morton, M <sup>r</sup> Edward Gray, M <sup>r</sup> Josiah Standish, M <sup>r</sup> Wiltam Paybody, M <sup>r</sup> John Cushen, Jeremiah Hatch, Thomas Tupper, M <sup>r</sup> James Walker, M <sup>r</sup> Samuell Smith, M <sup>r</sup> John Thacher, M <sup>r</sup> John Miller,	Leifteñ Joseph Laythorp, M <sup>r</sup> Barnabas Laythorp, M <sup>r</sup> Nicholas Pecke, Serjē Gilbert Brookes, Capτ Jonathn Sparrow, Jonathan Banges, Ensigne Marke Eames, Anthony Snow, John Willis, Seni <sup>r</sup> , Samuell Luther, John Cooke.

The Constables of the seuerall Townes in this Jurisdiction.

Plymouth, . . . . .	Joseph Bartlett,
Duxburrow, . . . . .	Joseph Chandeler.

Sittuate, . . . . .	{ John Otis, Seni <sup>r</sup> ,
	{ Thomas Studson, Seni <sup>r</sup> .
Sand, . . . . .	Ezra Perrey.
Taunton, . . . . .	{ Joseph Willis,
	{ Isacke Dean.
Yarmouth, . . . . .	Andrew Hallott.
Barnstable, . . . . .	Thomas Huckens.
Marshfeild, . . . . .	{ Ephraim Little,
	{ John Thomas, Juni <sup>r</sup> .
Rehoboth, . . . . .	{ Samuell Pecke,
	{ John Titus, Juni <sup>r</sup> .
Eastham, . . . . .	Wiltam Browne.
Bridgwater, . . . . .	Marke Laythorpe.
Dartmouth, . . . . .	{ Joseph Kent,
	{ John Hathwey.
Middleberrey, . . . . .	Ebenezer Tinkham.
Dartmouth, . . . . .	Thomas Tabor.

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sworne. {	Wiltam Sabin,	sworne. {	Benjamin Nye,
	Andrew Ringe,		Zäheriah Ryder,
	Benajah Pratt,		John Gorum,
	Phillip Dellano, Seni <sup>r</sup> ,		Josiah Crocker,
	John Rogers, Seni <sup>r</sup> ,		Josiah Snow,
	Thomas Eastabrooke,		Isacke Little,
	M <sup>r</sup> Samuell Newman,		John Done, Juni <sup>r</sup> ,
	Wiltam Witherell,		Samuell Allen,
	John Richmond,		John Haward, Juni <sup>r</sup> ,
	Anthony Collymore,		Joseph Church,
	Steuen Vinall,		Moses Rowley,
Nehemiah Bessey,	Robert Nicarson,		
Samuell Hall,	Obadiah Eedey.		

Surveors of the Highwaies.

Plymouth, . . . . .	{
	{ Robert Barker, Seni <sup>r</sup> ,
Duxbu <sup>r</sup> , . . . . .	{ John Tracye,
	{ Wrastleing Brierwster.

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Scittuate, . . . . .	{	Cornett Studson, Edward Jenkins, Wiltam Hatch.
Swansey, . . . . .	{	Israele Pecke, Wiltam Haward, Nath Lewis.
Sandwich, . . . . .	{	Wiltam Swift, Seni <sup>r</sup> , Steuen Skiffe.
Taunton, . . . . .	{	Robert Crosman, Thomas Gilbert.
Barns̄, . . . . .	{	Ensigne Howland, James Lewis.
Yarmoū, . . . . .	{	Nathaniell Bassett, John Burge.
Marshfeild, . . . . .	{	Wiltam Foard, John Thomas, Seni <sup>r</sup> .
Rehō, . . . . .	{	Anthony Perrey, John Wilmott.
Eastham, . . . . .	{	Wilt Walker, Wiltam Merrick.
Bridgē, . . . . .	{	Joseph Aldin, Joseph Bassett.
Dart <sup>h</sup> , . . . . .	{	Thomas Pope, Nicholas Sison, Henery Tucker.

[\*7.]

\*An Agreement appointed by the Court to be recorded, as followeth.

These may certify all whome these p<sup>r</sup>sents may concerne, that wheras Arther Harris, now deceased, hath by a deed of gift giuen vnto his son, Isacke Harris, now of Bridgewater, some lands, &c̄, within the townshipp of Bridgewater, as alsoe by vertue of his will, and an agreement made by the said Isacke, and Martha Harris, now widdow to the said Arther Harris, doe acknowledg before this honored Court, that the lands heerafter expressed by vertue aboue mensioned, viz<sup>s</sup>, 75 acres of vpland, lying neare Satucket Riuer, in Bridgewater, and ten acres of land of vpland, att the head of the house lott, att the towne, and a lott of meddow att a meddow com<sup>o</sup>nly called by the name of the Poor Meddow, and half the right of the purchase belonging to the



said Arthur ; all the rest of the lands, meddows, and other priuileges and estate whatsoeucr, to belonge of right, and to be att the dispose of the aboue said Martha Harris, widdow, those lands aboue expressed belonging to the said Isacke Harris and to his heires for euer. Further, these p̄sents may certify that the aboue said Martha Harris, as executrix vnto the aboue said Arther Harris, doth by these p̄sents acquitt and discharge the aboue said Isacke Harris from the payment of all debts, dues, and demaunds to any in respect of the estate of the aboue said Arther Harris.

In reference vnto the estate of Wiltam Palmer, deceased, the Court haue ordered, that the widdow shall haue the improuement of the whole estate, both reall and p̄sonall, vntill the children come of age, and one third of the p̄sonall estate for euer, and the thirds of the proffitts of the lands vntill her decease, and the eldest son to haue a double portion, and the other of the children to haue equall and alike proportions of the remainder, *of the remainder* ; and the Court appoint and approue of John Russell and Wiltam Briggs to be ouerseer and healpfull to the widdow, for the disposall of the said estate.

Wee, Susanna Palmer, widdow, of the towne of Dartmouth, in the jurisdiction of New Plymouth, in New England, and Arther Hathewey, of the same place, planter, doe heerby acknowledge our selues to stand bound vnto the Goũ and Court of Plymouth aforsaid in the penall sũme of two hundred pound sterling ; for the payment wherof well and truely to be made, wee bind ourselues, our heires, executors, and adminnestrators, joyntly and seuerally, feirly by these p̄sents.

The condition of the aboue written obligation is such, that wheras the aboue bounden Susanna Palmer hath obtained of this Court letters of administration to adminnester on the estate of Wiltam Palmer, late deceased, if, therefore, shee, the said Susanna Palmer, shall and doe pay all debts and dues from the said estate, soe farr and by equall proportions as the estate will amount vnto, and keep a faire account of her said administration, and be redde & giue in an account of her said administration vnto the said Court when by them required, and keep and saue harmles the said Goũ and Court from all such damage as may acrew vnto them therby, that then the aboue written obligation to be void and of none effect, or otherwise to remaine in full force, strength, and vertue.

M<sup>r</sup> Nicholas Pecke, of Rehoboth, is appointed by the Court to be adminnestrator on the estate of James Colbey, deceased, and to be gaurdian vnto Elizabeth Colbey, daughter of John Colbey ; and the Court haue alsoe ordered, that what estate is or shalbe found of the estate of the said James Colbey

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shalbe employed for the bringing vp of the said Elizabeth Colbey when his debts are payed.

In answare vnto the proposition of seuerall that would purchase lands att Sepecan and places adjacent, the Court are glad to take notice of what they propound, and offer themselues to oblige in order to a comfortable settlement of a plantation there, and shalbe reddey to accomodate them as farr as they can on reasonable and easy tearmes, and giue them all due incurragement, if they can procure some more substanciall men that are prudent psons and of considerable estates that will make a speedy settlement of themselues and families with them; and wee desire and expect to heare further from them att the next meeting of this Court by adjournment in July next, att which time wee may, if satisfied in the pmisses, bargain with them for the lands they desire, or put it in a way to be don.

In answare to Wiltam Nicarsons petition, the Court haue ordered, that Mannamoiett shalbe a constablericke of it selfe, and to choose and send a fitt pson for constable and another for grand juryman, and p̄sent them vnto the next Court to take oath; and that all the inhabitañs of Mannamoyett are heerby enjoyned by the Court, joyntly and vnanimously, to raise amongst themselues fīue pounds p yeer, in mony if it may, if not, in other substanciall goods, or pay and deposett in the hands of some faithfull pson, to be kept in stocke towards the inabling of them to build a meeting house or a house for a minnester.

The Court haue sett and to farm lett their herbage and vse of their land att Pocassett, and the vse of their meddow att Pocassett and places adjacent, vnto Cap̄t Church, for this p̄sent yeer, for and in consideration of the sume of fifty shillings, currant siluer mony of New England; and that hee hath power to forbid all others to make vse of the same for the said tearme, according to former order.

[\*8.]

\*The Court haue agreed with Mistris Elizabeth Southworth to make prouision for the majestrates table in all respects as formerly, and for the vse of beding and household stuffe improued therabouts, for the full yeer folowing, viz<sup>s</sup>, for four Courts, for and in consideration of 42 pounds currant siluer mony of New England; and att the expiration of the yeer, att the making vp of her accountms in this behalf, if shee doth not find herselfe a sufficient gainer, that then the Court will consider therof with some additionall satisfacion according to equitie and righteousnes.

In reference vnto seuerall Indians bought by Jonathan Hatch of Cap̄t Church, the brothers of the woman, desireing shee might be released, appeared in Court with the said Jonathan Hatch, and came to composition with her for

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the freedom of both her and her husband, which are two of the three Indians aboue named; and her brothers payed on that accoumpt the sume of three pounds siluer mony of New England, and haue engaged to pay three pounds more in the same specue, and then the said man and woman are to be released; and for the third of the said Indians, it being younge, the Court haue ordered, that it shall abide with the said Jonathan Hatch vntill it attaines the age of 24 yeers, and then to be released for euer.

Libertie is graunted by the Court vnto James Walker, of Taunton, to keep an ordinary att Taunton, and for that end that hee be will prouided of all nessesaries for that purpose, and that hee keep good order in his house in that behalf, that soe noe damage may acrew vnto any respecting the p̄mises.

Wheras wee, Phillip Delano, Seni<sup>r</sup>, Francis West, Wiltam Clarke, Edmond Weston, Phillip Delano, Juni<sup>r</sup>, Joseph Chandeler, Samuell Chandeler, Edward Southworth, Samuell Hunt, Thomas Delano, Samuell West, and David Alden, by authoritie, we<sup>r</sup> impanelled as a jury to lay out a high way for George Soule, where it might be convenient for him, the said George Soule, and lest prejudiciall for the owner of the land, which is Joseph Howland; wee, the aboue said jury, haue accordingly done it, and haue layed it out on the south end of Joseph Howlands land, according to our best vnderstanding that is giuen vs; the breadth of the way is twenty foot att the narrowest place on the greensword, bounded with diuers great stones sett in the ground. This 19 of the first month, 1678, 79.

PHILLIP DELANO, Seni<sup>r</sup>, Forman.

With the consent and concurrence of the abouenamed eleuen of the jury.

Att this Courte, Henery Cobb, the son of M<sup>r</sup> Henery Cobb, of Barnstable, deceased, made choise of M<sup>r</sup> Thomas Hinckley to be his gaurdian.

And Jonathan Cobb, son of the said M<sup>r</sup> Cobb, made choise of M<sup>r</sup> Thomas Huckens; and there choise were both approved by the Court.

Att this Court, Joseph Thorne, of Scittuate, for play-	} <sup>ll</sup> <sup>s</sup> <sup>d</sup>	01 : 00 : 00
ing att cards twice, fined . . . . .		
Joseph Peirse, for playing att cards once, fined . . . . .		00 : 10 : 00
James Benitt, for playing att cards seuerall times, fined . . . . .		01 : 00 : 00
John Holbrooke, for playing att cards once in the	} . . . . .	01 : 00 : 00
woods, himselfe haueing comānd there, . . . . .		
His man, Patricke, att the same time, . . . . .		00 : 10 : 00
Himselfe, once in Gannetts chamber, . . . . .		00 : 10 : 00

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Himselfe, once in the barne, . . . . .	00 : 10 : 00
His man, in the barne, . . . . .	00 : 10 : 00
Ten shillings was abated of John Holbrookes fines, .	03 : 00 : 00
Robert Lathum, for being twice drunke, fined . . .	00 : 10 : 00
Thomas Jenkens, for breaking the Sabbath, is fined .	00 : 10 : 00

[\*9.]

\*In answare to the petition of Robert Lawrance, of Sandwich, requesting libertie to purchase a certaine tract of land of an Indian called Simon Wickett, which said land lyeth att a place called Pocassett, within the bounds of Sandwich, to the quantytie of sixscore acres, fourscore wherof adjoining to forty acres of land lying in the same place, which was made ouer to M<sup>r</sup> Richard Bourne in leiw of a debt of nine pounds due to the said M<sup>r</sup> Bourne from three other Indians deceased.

The Court haue granted libertie vnto the said Robert Lawrance to make purchase of the said sixscore acres of land ; and hee alsoe is heerby ingaged to make payment of the abouesaid debt of nine pounds to M<sup>r</sup> Richard Bourne aforsaid or his order, according to the conditions the Indians made with him about the said debt.

A Writing appointed to be recorded.

There haueing bine som controversy between this collonie and the towne of Swansey respecting a sale of lands made by M<sup>r</sup> Constant Southworth, Treasurer, to Josiah Winslow, Esq<sup>r</sup>, Walter Briggs, John Williams, Cap<sup>t</sup> Fuller, and others, called the Showamett Purchase, the towne of Swansey aforsaid claiming a considerable p<sup>te</sup> of those lands soe sold by vertue of a deed obtained of Totomommucke and others, bearing date the eight of May, 1673, it is agreed between the Generall Court, held by adjournment July the first, 1679, in behalfe of the collonie of New Plymouth, on the one p<sup>te</sup>, and M<sup>r</sup> Samuell Luther, agent for the towne of Swansey and on their behalfe, on the other p<sup>te</sup>, as a full and finall issue of the aboue mensioned difference, that the collonie of New Plymouth aforsaid shall and heerby doe agree and graunt to and with the towne of Swansey, that they shall haue and for euer enjoy those lands that lye to the southward of their old line vntill it comes within twenty rodds of Kekamuett Springe, which is in the enterance of Mount Hope Necke ; and what distance it is by measure from that station, to direct a line quite ouer or crosse the necke, or takeing twenty rodds northerly from the mouth of Kekamuett Spring, and twenty rodds att the head of the said spring northerly, and those two stations to make or direct the line crosse the necke, the collonie making their choise which of those lines shall stand, all the

lands lying on the northerly syde of the line, and soe home to Swanseys former bounds, to be and for euer belonge vnto the towne of Swansey; and in consideration therof, the said towne of Swansey shall and heerby doe quitt claime to the rest of the lands of Mount Hope on the southerly syde of the aboue mensioned line, and doe resigne vp vnto the collonie or purchassers of Showamett lands the deeds aboue mensioned obtained of Totomamucke, &c, and quitt claime vnto all the lands therin contained or mensioned. In witesse wherof, the Secretary, in the behalfe of the collonie, and Samuell Luther, agent for the towne of Swansey, in their behalfe, haue heervnto subscribed.

NATHANIELL MORTON, Secretary.

The marke of X SAMUELL LUTHER,

Agent for the towne of Swansey.

Plymouth, the fift of July, 1679.

Of the ruining of the line and settlement of these aboue said bounds and preciñts, see 10 pages forward in this booke.

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*\*At the Court of his Ma<sup>tie</sup> held att the Towne of Plymouth, for the Jurisdiction of New Plymouth, the third Day of July, Ann<sup>o</sup> Doñi 1679.*

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[\*10.]

BEFORE Josia Winslow, Esquire, Goũ,

John Alden,

Thomas Hinckley,

Wiltam Bradford,

John Freeman,

James Cudworth,

James Browne, and

Daniell Smith,

Assistants, &c.

WILLIAM PAYBODY, of Duxberry, informing this Court that there was sum difference betwixt Mistris Sarah Parkes and her son, Wiltam Brewster, and himselfe, concerning bounds of their lands att Duxberry aforesaid, wheron they liue, Mistris Parkes alsoe petitioning the Court that what settlement therof should be made might be done according to the settlement longe since made betwixt Jonathan and Loue Brewster by Goũ Bradford, M<sup>r</sup> Edward Winslow, M<sup>r</sup> Thomas Prence, and Cap<sup>t</sup> Miles Standish, haueing viewed the said record, wee find that it was clearly devided by the aforesaid gentlemen, and surveyed and layed out by M<sup>r</sup> Wiltam Varsell, and bounded

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on his plott ; but the said plott not to be found, nor ranges certainly knowne, the Court doth therefore order, that vnlesse the p̄tyes concerned doe agree to settle a range betwixt themselues to mutuall satisfaction, they shall, att their mutuall charge, cause the land to be surveyed anew, and deuided according to the ancient record aboue mensioned ; and if, vpon a new survey, the land should proue more or lesse then by former measure, the gaine or losse should be deuided betwixt them according to proportion ; and for as much as it may be very detrementall to either of the p̄ties concerned that it should be longe vnsettled, this Court doth alsoe order it to be don betwixt this and October Court, and report to be made therof to the said Court ; and if either p̄ty concerned doe neglect, the other may procure it to be don att their mutuall and equall charge, and it shalbe binding to both.

Att this Court, John Leanard appeered to request a competency of land for the supply of himselfe and his bretheren, in the right of his father, being one of the old servants ; in answare therof, the Court haue giuen libertie to him, in the behalfe of himselfe and bretheren, to look out for accomodation in any land that is free, being not conquest land nor otherwas ingaged ; and in case they shall not be supplied, that they apply themselues to the Saconett companie att their next meeting, that they may be supplied out of that graunt, if the companie shall see reason, or in that which did belonge to Totamumucke.

Att this Court, Leiftenant Joseph Howland appeered to request a competency of land for the supply of the children of Wiltam Reynolds, an old servant, to whom land is due ; and in answare therof the Court haue graunted, that hee shalbe accomodated out of those lands that did belonge to Totamumucke att Saconett vpon reasonable tearmes.

The Court haue voated, that the rents for the proffitts of the Cape fishing last yeer, vnpayed, be demaunded of Cornett Studson and M<sup>r</sup> Nathaniel Thomas, whoe we<sup>r</sup> appointed by the Court to demaund it in the countryes behalfe for the vse of the collonie.

The sume of ten pounds is allowed by the Court vnto a poor mamed souldier named Wiltam Perrey for his releiffe, whoe receiued great wounds in the late wars with the Indians.

4 July.  
[\*11.]

\*Att the Generall Court held att Plymouth by adjournment, the 4<sup>th</sup> of July, 1679, —

This Court, haueing duely considered the petition of Elizabeth Williams, the wife of Cap<sup>t</sup> John Williams, of Scittuate, in reference to her future main-  
tainance, shee being now stricken in yeers, and finding that shee hath bin soe

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often baffled about what was ordered by the Court for her certaine yeerly maintainance, that it hath proued short of a comfortable support and stay of liuelihood for her, and farr lesse then is proportionable to his estate wherin shee hath a right, doe therefore order, that the said John Williams shall pay or cause to be payed vnto his said wife, Elizabeth Williams, or to her assignes, yeerly and euery yeer dūing her naturall life, or vntill the Court shall see cause otherwise to order, the full sūme of ten pounds in currant New England mony, att or vpon the first Tusday in March yeerly, att the now dwelling house of James Cole, in Plymouth; the first payment as afsaid to be made the first Tusday in March next after the date heerof, and incase of default shalbe made in whole or in pte of any said yeerly payments on the day and place wheratt the same ought to be payed, that then and from thence forth a warrant be directed to the marshall or constable to leuy by execution the full sūme of fifteen pounds on the said John Williams his estate, to be prised as mony, and for want therof on his pson; and it is alsoe ordered, y<sup>t</sup> if hee forthwith pay not the sūme of ten pounds in good currant pay to the said Elizabeth, his wife, which is alreddy due vnto her for the yeer past, according to the former order of Court in that case prouided, that then an execution be graunted for the leuying the said ten pound on his estate according to law, and to be deliuered to her or her order.

Wheras Wiltam Numacke hath informed this Court, that Pompaquine, allies Jacob, of Pokeesett, deceased sūme time since, left the disposing of his lands with him, the said Wiltam Numacke, for the payment of his debts, this Court doth further giue libertie to sell those lands to any for the best advantage, for the payment of the said debts, prouided that wheras Robert Lawrance, of Sandwich, hath obtained a graunt of this Court of lands therabouts, if it should fall within his said graunt, this Court doth order, that hee should haue the first refusall of the said lands, giueing as much for it as another will.

Wheras it doth appeer to the Court, that the rents of the Cape fishing for the two yeers last past improued for the ends for which it was appointed by the Court; yett it haueing bin payed and improued to the collonies vse, the said leassers are discharged for the said two yeers.

This Court haue voated, that all such lands as are belonging to the country, or conquest lands, except Mount Hope, be put to sale; and that the Gou<sup>r</sup>, M<sup>r</sup> Hinckley, Major Cudworth, and the Treasurer be and heerby are impow-ered to make sale therof in the behalfe of the country.

Wheras Ensigne Higgins, with the leaue of the Court, hath layed downe his place and office of being ensigne bearer of the milletary com-

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panie of Eastham, these are to signify to the said company, that they are heerby required to choose another souldier out of theire companie to serue in that place, and to p̄sent his name to the Court for theire approbation of theire choise.

Jonathan Higgens, for com̄itting fornication with his wifes sister after his wifes death, was fined the sume of . . . . . } <sup>ll</sup> <sup>s</sup> <sup>d</sup> 20 : 00 : 00

Att the earnest petition of some of his frinds, the Court remitted . . . . . } 10 : 00 : 00

Ten pounds of this fine was remitted by the Generall Court.

Isacke Woodworth, for playing att cards 2 seuerall times, fined . . . . . } <sup>ll</sup> <sup>s</sup> <sup>d</sup> 01 : 00 : 00

Mathew Gannet, for playing att cards seuerall times, and suffering others to play att cards in his house, fined . . . . . } 02 : 00 : 00

Robert Godfrey, for stealing a barr of iron, and ruining away from his master, and for other misdemenors, sentanced to be whipt att the post, which accordingly was p̄formed.

Edward Bumpas, for striking and abusing his parents, was whipt att the post ; his punishment was alleviated in regard hee was crasey brained, otherwise hee had bine put to death or otherwise sharply punished.

[\*13.]

\*Att the Court of his ma<sup>tie</sup> holden att the towne of Plymouth, for the jurisdiction of New Plymouth, in New England, in America, the third day of July, anno Doñi 1679.

Letters were receiued from his ma<sup>tie</sup>, our dread so<sup>v</sup>, which were publickly read, wherby it appeered that the collonie suffered blame for that his ma<sup>tie</sup> had not receiued a p̄ticular account of the transacting of matters relateing to our late warr with the Indians, which befell our collonie by reason of the miscarriage of our letters directed to his ma<sup>tie</sup> in ann<sup>o</sup> 1677. The p̄mises considered, with other p̄ticulars inscribed and inserted in the said his ma<sup>ties</sup> letters of momentus consideration, our said collonie, by theire representatiues then p̄sent, saw cause to speed away another addresse to his ma<sup>tie</sup>, therin to p̄sent him with a true intelligence of matters, and to remoue the misinterpretation of our intensions and proceedings respecting the p̄mises ; and for that end requested, impowered, and betruusted our much honored Go<sup>v</sup> with that matter, whoe att the same time p̄sented them with a writing which himselfe, in faithfulness to the collonies interest, had prepared in order to further proceeding, which, being publickly read, was vnanimously approued, and ajudged fitt to be p̄sented



to his ma<sup>tie</sup>, and hopefull, through the blessing of God, to procure a renewed continuance of his fauor towards vs; and alsoe our honored Court renewed their sollisitation of his honor to prosecute the said waighty designe in their behalfe with all posible expedition, whoe loueingly vnderooke the same, of whose faithfulness in like and other cases wee haue had large experience.

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4 July.  
WINSLOW,  
Gov<sup>r</sup>.  
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New Plymouth. To the honored Generall Court, assembled the fourth of July, 1679.

Wheras the propriators of the land att Puncckateest and lands adjacent, by their agents, Edward Gray and Nathaniell Thomas, about two yeer agoe did shew to the Generall Court then siting, that the lands adjacent to the said Puncckateesett Necke was longe since purchased from the natiues, and doth belonge and appertaine to the said propriators; and as the said agents then did, now alsoe do humbly request this honored Court to appoint and impower soñ meet psons to joyne with the said agents to settle the bounds between the said propriators lands & the collonies lands, that soe the said propriators may quietly settle inhabitants on the said lands, and peace and unitie contineued amongst vs, and the said propriators incurraged in their respectiue capasseties to indeanor the good and welfare of this coñionwealth, which is humbly prayed by your humble servants,

NATHANIEL THOMAS,  
EDWARD GRAY.

Att this Court, the account between the collonie and our late Treasurer, Mr Constant Southworth, deceased, was fully taken and finished; in the close wherof it appeared that their remained scauen pounds eight shillings and a peny due to the country, wanting for the ballencing of the said account; the which sum, by the motion of our honored Gov<sup>r</sup> and the loueing condendency of the Court, was remitted to the said Treasurers successors; and soe all accounts are cleared between the collonie and our late Treasurer and his successors respecting his office as Treasurer from the begiñing of the world to this day, being the fit day of July, anno Domini one thousand six hundred seauenty and nine, and in the behalfe of the collonie subscribed vnto

P NATHANIEL MORTON, Secretary.

\*Seuerall Indian Testimonyes appointed to be recorded.

[\*14.]

The testimony of Old Hope, the Indian of Mannomett, as followeth: —  
Saith, that hee knew the little island, lying next Saconeesett, called N<sup>ashanow</sup> N<sup>ashanow</sup> Islands.  
ameesett, and a necke of land or little iland called Vckatimest, belonging to

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the great iland called Katomucke, and another little iland lying between the said great iland and Nanomesett belonged to Job Antiko, his grand father Comucke, and soe to Jobs father, Thomas Antiko; and the said Hope further saith, that the said great iland, called Katomucke, and another little iland, called Peshchameesett, to belonge to Webacowett.

Washamwatt, Indian, of Nanomeesett, witnesseth alsoe to the truth of what the aboueſd Hope hath affeirmed as abouesaid.

And Wilſam Numacke testifyeth, that hee hath heard his father, Nanquatnumacke, oftens say the same thinge as is aboue testified by Hope and Washawatt concerning the said ilands, comonly called Nashanov Ilands.

And Washamwatt further testifyeth, that hee hath heard the aboue said Thomas Antiko to giue the said iland, Nanomeesett, and the said necke and little iland, vnto his two sons, James and the abouesaid Job Antiko, for many yeer agon, being neare about the time that Napoiatan, sachem of Barnstable, died of the smale pox.

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1 November. \**All the Court of his Ma<sup>tie</sup> holden att Plymouth, for the Jurisdiction of New Plymouth, the first of Nvember, 1679.*

BEFORE Josiah Winslow, Esq̄, Gou,  
John Alden,  
Thomas Hinckley,  
Wilſam Bradford,

John Freeman,  
James Cudworth,  
James Browne, and  
Daniell Smith,

Assistāſ, &c.

**I**N obedience vnto his ma<sup>ties</sup> comāund, M<sup>r</sup> Randall Holden and Cap<sup>t</sup> John Green, of Rhodjland, were su<sup>m</sup>oned to appeer att this Court; and the said Cap<sup>t</sup> Green appeered to answare the pretensions of Wilſam Harris concerning the 2<sup>cond</sup> verdict of the jury brought into the speciall Court called by his ma<sup>ties</sup> appointment, and kept att Patuckesett, in the jurisdiction of Prouidence Plantations, in New England. The said Harris att this p<sup>s</sup>ent Court declared, that hee appeered before them piea against the said Captaine Green and Holden, in behalfe of himselfe for three, one of the three being for Eze-kiell Holliman, Stukley Westcott, and in the right of Thof<sup>m</sup> Feild, and the said Feild in the right of Francis Weston, deceased; and the said Harris

signified that hee stood in the right alsoe of Wiltam Carpenter, and the said Wiltam Carpenter in the right of John Green.

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Know all men by these p<sup>s</sup>ents, that I, Wiltam Hatch, Sen<sup>r</sup>, of Scittuate, doe stand bound and am heerby feirly obliged by this obligation vnto the Go<sup>u</sup> and Court of New Plymouth in the sume of sixty pounds of currant siluer mony of New England, to be payed vnto the said Go<sup>u</sup> and Court of New Plymouth, theire successors or assignes; and to the which payment, well and truely to be made and payed, I bind myselfe, my heires, executors, and adminestrators feirly by these p<sup>s</sup>ents, sealed with my seale, dated the 13<sup>th</sup> of Sep<sup>r</sup>, 1677.

Wheras Lydia Standlake is allowed by the Court of New Plymouth to be gaurdian vnto her two so<sup>nes</sup>, John Barstow and Jeremiah Barstow, to demaund, recouer, and receiue a legacy giuen vnto each of them, the said John and Jeremiah, by theire great vnkell, Micaell Barstow, late of Watertowne, deceased, as appeers by his last will and testament; wherfore the condition of this obligation is such, that if the said Lydia Standlake doe receiue the said legacye, and shee or the within bounden Wiltam Hatch, theire executors, or adminestrators, or either of them, shall pay the legacye soe receiued vnto the said John Barstow and Jeremiah Barstow, when legally demaunded, or the executors or adminestrators of them, or either of them, that shall appeer legally to be such, and shall make legall demaund therof, and pay the same within two monthes after legall demaund made, without any fraude or further delay, that then this obligation to be void and of non effect, or else to stand, abide, and remaine in full power, force, strength, and vertue.

Signed, sealed, and deliuered in the p<sup>s</sup>ence of vs,

WILLAM PEAKES,  
ELIEZAR PEAKES.

Letters of adminestration is graunted by the Court vnto John Barstow, of Scittuate, to adminester on the estate of Jercmiah Barstow, his brother, deceased, soe hee keep a faire accountt therof, and be reddey to shew it to the aboue said Court when by them required.

Att this Court, Nathaniell Rowllins made choise of Joseph Siluester to be his gaurdian, and the Court approued therof.

Att this Court, the sume of forty fvee shillinges and six pence allowed by the Court to Cap<sup>t</sup> Williams, for lose of the suite that should haue bin prosecuted against him att this Court by Edward Jenke::s.

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[WINSLOW,  
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This Court doth order and appoint John Richmond, Nicholas Pecke, and Wilłam Carpenter to run the line between the countryes land att Mount Hope and the towne of Swansey, and in caſ of falier of any of the three, that then Encrease Robinson be improved iu his steed, and that the record of Court heerwith sent respecting that matter be the rule by which to proceed therein.

Five shillings was allowed by the Court vnto Steuen Vinall, subpoenaed by Cap<sup>t</sup> John Williams, as a witnes.

October.  
[\*16.]

\*October, 1679. In reference to the complaint made by Wilłam Nicarson, Seni<sup>r</sup>, against Pamacowett, an Indian, about a horse, the said Nicarson charging him that hee had taken away a horse from him feloniously, the said Nicarson and the Indian refering the case to the determination of the Court, this Court sees cause to cleare the said Indian of the charge, and giues libertie to him, the said Indian, to take vp his horse where hee finds him, soe hee be out of the said Indians possession; if hee be in the said Indians possession, and be soe found, then the constable of Mannamoit is heerby ordered to deliuer him to the said Indian, his owner, and likewise to require the said Nicarson to pay vnto the said Indian, Pamacoiett, the sume of fifteen shillings, in siluer mony, and in defect of payment, the said constable is ordered to make distraint on the goods of the said Nicarson, to make payment therof.

This Court haue ordered M<sup>r</sup> Browne and M<sup>r</sup> Smith to proue the last will and testament of M<sup>r</sup> Francis Smith, vpon their returne home.

The complaint of Cap<sup>t</sup> John Williams against Thomas Jenkens, as followeth: —

To the Constables of Scittuate, or either of them, gree<sup>t</sup>, &c.

Wheras John Williams complaineth that hee hath, since the begi<sup>n</sup>ing of May last, lost seuerall beasts of horse kind, which are destroyed, and hath good ground to suspect that they are feloniously destroyed by Thomas Jenkens, of Scittuate, Samuell Curtice, and Samuell Browne, being the reputed servants of the aboue said Thomas Jenkens, vpon which said grounds the said Williams doth desire that the said Jenkens, Curtice, and Browne may be strictly examined vpon suspision of feloniously destroying and disposing of the said horse kind, which the said Williams is owner of, without the said Williams his knowledge, leaue, or order, and according to the p<sup>t</sup>iculars mentioned or found, soe to be proceeded with according to law and justice.

These are therefore in his ma<sup>ties</sup> name to require you, on sight heerof, to cause the said p<sup>t</sup>ies aboue mensioned, Jenkens, Curtice, and Browne, to make

theire psonall appeerance att the next Court of his ma<sup>tie</sup> to be holden att New Plymouth the last Tusday in this instant October, and there remaine and abide the determination of the Court concerning the complaint abouesaid; wherof fayle not att yourer pill, and make returne of yourer warrant and doeings therin according to law. Dated the 24<sup>th</sup> of October, 1679.

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I. A., Assistant.

This complaint or sūmons was served by mee.

THOMAS STUDSON, Constable.

22<sup>cood</sup> of October, 1679.

And the said Thomas Jenkens appeered att this Court, and the Court did put the said Williams vpon it, that if hee saw cause to draw vp a bill against the said Jenkens, hee might, but the said Williams did not draw vp any bill against, nor offer any prooffe to make out the said charge; and soe the said Thomas Jenkens was dismissed, with libertie to take his course against the said Williams by due course of law.

Att this Court, John Dingley, and Arther Loe, his servant, appeered before the Court, and hee, the said Arther, did engage and couenant to continew and lue with and abide with his said master and dame, as theire couenant servant and apprentice, vntill hee attaines the age of twenty one yeers, hee being att the writing heerof of the age of fourteen yeers, during which time hee shall faithfully serve his said master and dame, and not absent himselfe from their service by night or day, without theire consent; and the said John Dingley and his wife couenanteth to prouide for theire said servant sufficient and convenient meat, drink, apparrell, washing and lodging, fitt for one in his degree and calling, all the tearme aforsaid, and in the expiration therof, the said John Dingley or his wife doe heerby couenant to pay, or cause to be payed, vnto him, theire said servant, the sūme of three pounds, and incase hee carry well, the sūme of four pounds.

Wheras M<sup>r</sup> Wilkām Crow exhibited a complaint against the towne of Plymouth for refusing to pay for the killing of woulues according to Court order, this Court doth heerby require the said towne to pay, or cause to be payed, to him or his order such seuerall sūmes as are due and owing to him for such woulues as hee hath killed, proportionable and equiuilent to order of Court in that behalfe, in regard that hee did descent from the towne order, which made abatement for each woulfe killed by any in the said townshipp.

Seuerall Indian Testimonyes appointed to be recorded.

The testimony of Old Hope, the Indian, of Mannomett, saith that hee knew the litle iland lying next Saconesett, called Nanomeesett, and a necke

1679. of land or little iland, called Vkatimest, belonging to the great iland called Kattamucke, and another little iland lying between the said great iland and Nanomeesett, belonged to Job Antiko, his grand father, Komucke, and soe to Jobs father, Thomas Antico; and the said Hope further saith, that the said great iland called Kautomucke, and another little iland called Peshchaneesett, to belong to Webacowitt.

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See more of these testimonies two pages backward in this book.

[\*17.] \*The Courts answare to a petition prefered thervnto by the church of Bridgewater, as followeth:—

Much honored in the Lord: Haueing receiued your petition, the purpott of which is to signify that you haue mett with some interruption and disturbance in the publicke administration of the ordinances of the Lord Jesus Christ, which ended is noe smale of spiritt vnto vs, that any should presume to take liberty for soe euill a practice, which wee doe heerby declare to be intollerable, and that wee are called of God to beare seuer testimonie against that soe the churches of the Lord Jesus Christ may be sheltered and defended in the peacable and quiett enjoying of those rich and choise fanors the Lord is pleased to vouchsafe vnto vs, and heerin you and all others that shall meet with any such affronts may assuredly expect our reddines to put forth our power to the vtmost for the suppressing therof, it coming in an orderly way before vs; alsoe wee doe expect from you that matters vpon these accoumpts may be mannged by you with moderation, and, as much as may be, in the demonstration of loue and meeknes.

In answare vnto the petition of seuerall of our brethern and naighbours residing att the North Riuer, in Scittuate, bearing date October, 1679, as followeth:—

Beloued Bretheren and Naighbours: Wee, haueing seriously, as our oportunitie would pmitt, amides our many and pressing occations, considered of the declaration of your minds, and reasons annexed in your said petition, desire to be sensible of your present state, which is, as you say, sadly desolate, as concerning the vniteing of the two societies together: wee looke att it (in itselfe considered) to be the best expedient for the obtaining of mutuall strength in the wayes of God, in communication of the gifts and graces of his Holy Spirit for generall and speciall welfare of all, and for the support of minnesteriall administrations. Notwithstanding, wee conceiue, by reason of remote distance of place and other considerations, that if it were effected, it would not haue a tendencye to the effecting of the ends proposed to induce vnto the same, but

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rather the contrary ; and therefore our advice is to a continuance in two distinct bodyes, retaining a brotherly affection each to other, and indeauoring to promote the good of each other what you can, as many yeers you haue don ; and as for and in reference vnto such of the society of your end of the towne whoe haue lately repaired to the other congregation, to heare the word of God, wee see noe reason to blame them for soe doeing, considering the defisiensye of you r reuerend pastour, by reason of age, and other infirmities therof, as you say, and the able dispensation of the worde ^ the other, yett, notwithstanding, wee advise and desire that such would looke backe with a single eye to the societie of which p̄ticularly they are, soe as to put forth their best and streniouse indeauors for the promoting of their sperituall good and edification, both in seeking vnto God for healp in the minnistry of his word, and otherwise for the obtaining of soe great a fauor ; and wheras wee are informed that your meeting house is fallen much to decay, wee require you, (according to order of Court,) that you all, both those aboue last mensioned, with their bretheren and naighbours, doe mutually joyne together in the erecting of another, such an one as may be a fitt and meet place for you to meet in together to worship ; and for as much as wee vnderstand that there are different apprehensions amongst you in reference vnto contributing or collecting the charge therof, and the place wheron to erect it, wee haue appointed a com̄ittee, viz<sup>s</sup>, Elder Kinge, Cornett Robert Studson, John Bryant, Seni<sup>r</sup>, and John Turner, Seni<sup>r</sup>, these four, or any three of them, to acte in those affaires, whoe wee hope will determine therein soe as tend to your mutuall good. Thus hartily desiring your p̄sent and future happines, wee com̄end you and all your piouse concerns to the wise guidance and direction of our good God. Resting, &c.

Wee haue appointed and impowered another com̄ittee, viz<sup>s</sup>, our honored Gou<sup>r</sup>, M<sup>r</sup> Hinckley, Major Bradford, M<sup>r</sup> Arnold, M<sup>r</sup> Cotton, and M<sup>r</sup> Wiswell, to acte and determine in reference to the p̄mises as they shall see reason, vpon hearing of the case or cases respecting the same.

\*In reference vnto the disposall of the estate of Phillip Walker, late of Rehoboth, deceased, the Court haue ordered, that the now house in building shall be finished out of the whole intire estate, and that those that shall enjoy it shall make some proportionable abatement of what shalbe their p̄ticular interest in the said estate, and that the widdow shall haue a comfortable and convenient being therein during her widdowhood, and that the said widdow shall haue her third of the said estate, and the sume of twenty pound, for and towards the bringing vp of the youngest child, and that the remainder of the said estate be deuided into seauen equall p̄tes, wherof the eldest to haue a

[\*18.]

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double p̄te, and the rest to be deuided vnto the other children in equal and alike proportions.

Know all men by these p̄sents, that I, Jane Walker, widdow, of the towne of Rehoboth, in the jurisdiction of New Plymouth, doe acknowledge my selfe heerby to stand bound and feirmly oblidge vnto the Gou<sup>r</sup> and Court of Plymouth aforesaid, in the penall sume of one hundred pound sterling, for the payment wherof, well and truely to be made, I bind my selfe, my heires, executors, and adminnestrators, feirmly by these p̄sents, sealed and giuen this 29<sup>th</sup> of October, 1679.

The condition of the aboue written obligation is such, that wheras the aboue bounden Jane Walker hath obtained letters of adminnestration to adminnester on the estate of Deacon Phillip Walker, late of Rehoboth, in the jurisdiction aforesaid, deceased, if, therefore, the said Jane Walker doe pay, or cause to be payed, all such debts as are due and owing to any from the same, soe far and by equall proportions as the estate will amount vnto, and keep a due account of her adminnestration, and be redy to giue in the said account when thervnto required, and saue and keep harmles and vndamnified the Gou<sup>r</sup> and Court aforesaid from any damage that may acrew vnto them, or any of them, by her said adminnestration, that then the aboue written obligation to be void and of none effect, or otherwise to remaine in full force, strength, and vertue.

M<sup>r</sup> Daniell Smith, Leiftenant Hunt, and Ensigne Nicholas Pecke, and Abraham Perram, & Thō Read, and Samuell Walker, are appointed by the Court to be ouerseers <sup>^</sup> adminnestration of the estate of Deacon Phillip Walker, deceased, and to make deuision of the estate, according to order of Court.

Phillip Walker, Jun<sup>r</sup>, hath chosen M<sup>r</sup> Daniell Smith to be his guardian, and the Court approues therof.

[\*19.]

\*Nouember the first, 1679.

This Court doth order and appoint John Richmond, M<sup>r</sup> Nicolas Pecke, and Wiltam Carpenter, to run the line between the countryes land att Mount Hope and the towne of Swansey, and incase of falier of any of the three, that then Encrease Robenson be improued in his stead, and that the record of Court heerwith sent, respecting that matter aboue said, to be the rule by which they are to proceed therein; the p̄sons aboue appointed are to meet about the expedition on Wednesday, the 25<sup>th</sup> of this instant Nouember.

The proceedings and actings of this com̄ittee, in ruining of the said line, is as followeth:—



The line by the old fence two degrees and an halfe, to the north of the west; then wee measured from the mouth of Keekamuett Springe twenty rodds three degrees to the eastward of the north, and the fence att the head of the said springe, and sett vpp a white oake stake standing, att the extent of each 20 rodds, and raised vpp a heap of stones about each stake.

Then wee found the range a crosse the necke to be a point and a halfe to the northward of the west, and the line run by bound trees, vutill it comes to the west syde of the said necke, to a smale red oake bowe, where wee raised an heap of stones, and marked both the aboue said stakes and the bowe with S on the north syde, and C on the south syde.

This was pformed on the day prefixed by the Court, as was by them ordered, by vs, which was appointed therein.

These may signify that wee, Nathaniel Pecke, John Richmond, and Encrease Robinson, did run the line aboue mensioned according to Court order, and M<sup>r</sup> Wiltam Ingram, M<sup>r</sup> Hugh Cole, and Obadiah Bowin, appointed by the towne of Swansey, did joyne with vs in ruining the said line.

The bill of charges of the comittee first aboue mensioned. Wee were out three dayes, and our expences was in all fifteen shillings in mony.

See 10 pages backward in this book for the Court order relateing to the ruining of the line aboue specified.

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*\*Att a Court held att Plymouth, for the Jurisdiction of New Plymouth, the 2<sup>cond</sup> Day of March, Ann<sup>o</sup> Do<sup>m</sup>i 1679, 80.*

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2 March.  
[\*21.]

BEFORE Josiah Winslow, Esq<sup>r</sup>, Gou<sup>r</sup>,

John Alden,

Thomas Hinckley,

Wiltam Bradford,

John Freeman,

James Cudworth,

James Browne, and

Daniell Smith,



Assistants, &amp;c.

**W**EE, whose names are vnder written, the purchasers of the lands att Pocasset and places adjacent, doe engage ourselues to the honored Court of New Plymouth, that wee will from time to time vse our vtmost in-deauer for the well settleing of the said plantation, and in order thervnto, wilbe carefull to settle such psones as shalbe to the acceptance of this Gou<sup>r</sup>ment, and that shall promote the worshipp of God, and will joyne with Saconett propriators in the calling of a gospell minnester, and for his incurrag-

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ment, as to his outward subsistence, will settle him on the most convenient place wee can, to accomodate both plantations, and giue to the first minnester that shall settle amongst vs soe much of our land as Saconett shall alsoe give. Besides a proportioned pte of our land, wee will lay out for the minnistry in sucksession, and alsoe giue such due incurragement to his maintenance as our abillitie and his nessesitie may call for, desiring of this Court to giue such due incurragment to the said new plantation, as may be for the welsettlement of the said place.

EDWARD GRAYES,  marke,  
NATHANIEL THOMAS,  
CHRISTOPHER ALMEY,  
THOMAS WAITE,  
JOB ALMEY,  
DANIELL WILCOCKES, his marke   
WILLAM MANCHESTER, † his marke.

Testis, John Freeman,  
Daniell Smith.

These p<sup>s</sup>ents witnesseth, that wheras my grand father, M<sup>r</sup> Thomas Howes, deceased, did oblige my vnkle, Thomas Howes, deceased, to learne mee, Samuell Howes, the trade of a cooper, in his last will and testament, as doth appeer vnder his hand bearing date the twenty sixt day of Septem<sup>r</sup>, ann<sup>o</sup> 1665, and I, the said Samuell Howes, being well assured of my said vnkles care to pforme the said ingagement from time to time, and that it hath bine onely by my neglect the aboue said ingagement hath not yett bine pformed, therefore I, the said Samuell Howes, with the consent of my father, Joseph Howes, doe fully acquitt and discharge my said vnkell, Thomas Howes, his heirs, executors, and adminestrators for euer of the aboue said ingagement, vpon my grand fathers will. Signed with my hand this 26<sup>th</sup> day of February, 1679.

SAMUELL HOWES.

In the p<sup>s</sup>ence of vs,  
Marke Snow,  
Jonathan Sparrow.

The 26<sup>th</sup> of February, 1679, the aboue named Samuell Howes, and Joseph Howes, his father, made their appeerance, and acknowledged this aboue written to be their acte and deed. Before mee,

JOHN FREEMAN, Assistant.

Likewise this expresent witnesseth, that I, the aboue said Samuell Howes, haue receiued a mare, according as is specified in my grand fathers will, out of the estate of my vnkle, Thomas Howes. I say receiued.

By mee, SAMUELL HOWES.

Witnessed by,  
Marke Snow,  
Jonathan Sparrow.

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2 March.  
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Gou<sup>r</sup>.  
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\*Wheras the Gou<sup>r</sup> and Counsell, in attendance to an order of the Generall Court, June, 1678, haue required the building of a new meeting house towards the vpper end of the towne of Scittuate, for the worshipp of God, and ordered a comittee for the carrying on the said worke to effect, you, Jeremiah Hatch, Joseph Silvester, Samuell Studson, are heerby in his ma<sup>ties</sup> name required to make a rate vpon all the inhabitants, and proprietors of your towne, from the Mill Brooke vward on both sydes of the riuer, to defray the charge of the said worke, according to order of Court in such case prouided; the sume of the rate you are to leuy is one hundred pounds, to be payed, the one half of it by the first of June next, the other halfe of it by the last of October next, to them whoe carry on the worke, the pay to be in such spesue and att such prises as the country rate is payed. In case any one of you mentioned refuse or neglect to make the said rate, then John Bryant, Jun<sup>r</sup>, is appointed and impowered to joyne with the other two therin.

[\*22.]

These may certify that the honored Gou<sup>r</sup> and M<sup>r</sup> Hinckley haue receiued, for and in the behalfe of the country, the sume of ten pounds, siluer mony of New England, of Cornett Robert Studson and M<sup>r</sup> Nathaniel Thomas, for the rend of the Cape fishing for this yeer, which said sume is disposed by the Gou<sup>r</sup>, a part of it for the purchase of a peece of land att or about the Cape, for and in the behalfe of the country, and the remainder to the scoole, according to the order of Court.

In reference vnto the will of Mistris Joyce, of Yarmouth, deceased, the Court haueing viewed it, and taken notice of the disposall of the estate, doe approue therof, and haue ordered that the said will shalbe recorded.

The Court haue ordered and impowered Leif<sup>t</sup> Gorge Macye and Ensigne Thomas Leonard, and Wiltam Witherell, of Taunton, to bound the meddowes on Assonett Necke, soe as not to damnify any p<sup>t</sup>icular interest of meddowes of meddowes of longe time enjoyed, nor to damnify the proprietors of the said necke sold by the country, but according to deed confeirme it by bounding the said necke from the said meddowes.

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The Court haue ordered four pound vnto Wiltam Hoskins, to be payed to him by the Treasurer, in regard of his low condition, haueing lost all hee had in the late warr, and being growne old and vnable to labour.

The Treasurer is ordered by the Court to expend 20<sup>s</sup> for books for the supply of the Secretary, for writing of records.

In reference vnto an Indian called Joseph Peter, whoe was comitted to prison att Plymouth for stealing a hyde from John Gorum, hee expressing himselfe pensive for his said fact, and promising reformation, was released from bodily punishment; but for satisfaction for two debts, the one which hee oweth to M<sup>r</sup> Barnabas Laythorpe, which is 5<sup>ll</sup> 13<sup>s</sup> 2<sup>d</sup>, and for the answering of the other debt, which is 03 16 06, hee is ordered by the Court to be and abide with the said Barnabas Laythorp and John Gorum, or such as they shall order him to be with, as their servant, for the full terme of two yeers from the date heerof, and not to absent himselfe at any time from their said service, by night or by day, without a tikett from one of them; and incase hee shall absent himselfe, hee shall pay four dayes worke for one.

March the 2<sup>second</sup>,  
1679, 80.

This Court haue ordered and desired M<sup>r</sup> Thomas Hinckley, Assistant, and Samuell Cobb, to adminnester on the estate of Sarah Cobb, deceased, and with the advice and healp of their frinds and relations, to make a distribution of the estate amongst the children, still haueing a special respect therein to the youngest children, for their best good, and to make report thereof to the next June Court; letters of adminnistration was graunted by the Court to M<sup>r</sup> Hinckley and Samuell Cobb to adminnester on the estate of Sarah Cobb, deceased.

[\*23.]

*The estate of Samuell Smith, of Taunton, debts payed,	233 : 00 : 00
Ten pounds deducted and allowed from bringing vp	} 000 : 00 : 00
the younger children, rests . . . . .	
To the widdow and five children, of which the wid-	} 060 : 13 : 08
dowes thirds is . . . . .	
To the eldest son, forty pounds, and to the rest of	} 20 : 00 : 00
the children, each . . . . .	

The Court desire M<sup>r</sup> Browne and M<sup>r</sup> Smith to giue their healp in the deuiding and settlement of the estate, as may best suite the condition of the family.

Libertie of adminnistration is graunted vnto John Sutton, to adminnester on the estate of John Bucke, of Scittuate, deceased.

In reference vnto the dispose of the estate of Edward Sturgis, Juni<sup>r</sup>,

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deceased, this Court doth order, that Temperance Baxter, the relict of Edward Sturgis, shall haue the third p̄te of the said estate, and the other two p̄tes therof to be deuided amongst the children, in equall and alike proportions, onely the eldest son to haue twenty pounds, to be aded to his p̄te, and the negroe to be aded to the woman's p̄te, towards the bringing vp of the children, and incase that Thomas Baxter and his wife will give securitie to the Court for the childrens estate, they shall haue the improuement therof vnto the children come of age.

And the Court haue appointed M<sup>r</sup> Hinckley, M<sup>r</sup> Barnabas Laythorp, and M<sup>r</sup> Miller, to make deuision of the said estate, and to make report of theire actings therin vnto the Court, that soe the said estate may be settled.

Wheras the Court, in the former settlement of John Damans estate amongst his children, there fell to the children to each twenty pound to ten of them, and forty pounds to the eldest of them, and therefore that Martha, late wife of the said John Daman, deceased, hath satisfied to the eldest son his portion, and to Goodman Damans three other children, which hee had by his other wife, theire portions according to the Courts order.

This Court, haueing had diuers agitations with the said Martha, and Peter Bacon, her now husband, concerning the p̄mises, came to this following conclusion, viz<sup>s</sup>: that in reference vnto Experience and Ichabod, that they shall haue the halfe share of the freemens land at Taunton Riuer, to be deuided betwixt them in equall and alike proportions, with all and singulare the profitts and priuiledges appertaining therunto or ariseing therfrom, to them and theire heires and assignes for euer; and in reference vnto Ebenezer, the weak child, that the said Peter Bacon, and Martha, his wife, shall haue and enjoy as theire owne proper right, all the right that the said Daman had or hath in the lands att Conihassett, both marsh and vpland, with all and singulare the appurtenances belonging therunto, and three pounds and ten shillings out of John Damans lands on the Cliff, att Scittuate, on condition that they carefully bringe vp the said Ebenezer vntill hee comes of the age of twenty and one yeers; the said lands att Conihassett and att the said Clift, with all and singulare the appurtenances belonging therunto, or to any p̄te or p̄sell therof, on the conditions aboue expressed, to belonge vnto the said Peter Bacon, and Martha, his wife, to them and theire heires for euer. Moreouer, the Court hath ordered, that the foure daughters, Silence, Margaret, Hannah, and Martha, the daughters of the said John Daman, shall haue, each of them, ten pounds, in current country pay, payed to them and euery each of them when they come of age or be married; for the p̄formance wherof the said Peter Bacon stands heerby bound vnto the Court to make payement therof as aboue



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Taunton :	Rehoboth :
Wiltam Harvey,	Leifft Peter Hunt,
Walter Dean,	Ensigne Nicholas Pecke,
Gorge Macye,	Gilbert Brookes.
Thomas Leanard.	Eastham :
Yarmouth :	Marke Snow,
Mr Edmond Hawes,	Capt Sparrow,
Mr Edward Sturgis,	John Done.
Mr John Thacher,	Bridgwater :
John Miller,	^     ^
Jeremiah Howes.	Dartmouth :
Barnstā :	John Cooke,
Leifft Laythorp,	John Russell,
Mr Barnstable Laythorpe,	Arther Hathewey.
Leiftenant Allin.	Swansey :
Marshfeild :	^     ^
Anthony Snow,	Middleberry :
Ensigne Marke Eames,	Mr Samuell Fuller,
John Bourne.	Mr John Thompson,
	Mr Francis Combe.

\*The Constables.

[\*26.]

Plymouth, . . . . .	John Doten.
Duxburrow, . . . . .	Wrestleing Brewster.
Scittū, . . . . .	{ Thomas Nicols,
	{ Thomas Perrey.
Sandwich, . . . . .	Wiltam Bassett.
Taunton, . . . . .	{ Gyles Gilbert,
	{ Thomas Williams.
Yarmouth, . . . . .	Jabez Gorum.
Marshfeild, . . . . .	{ Joseph Waterman,
	{ Joseph Bumpas.
Rehoboth, . . . . .	{ Jonas Palmer,
	{ Moses Read.
Bridgwater, . . . . .	Thomas Snell.
Eastham, . . . . .	^     ^
Dartmouth, . . . . .	Jonathan Delano.
Swansey, . . . . .	^     ^
Middleberry, . . . . .	Daniell Thomas, Juni <sup>r</sup> .

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## The Grand Inquest.

Serjeant Harlow,	Enoch Hunt,
John Rogers,	Nathaniel Tilden,
Nathaniel Hall,	Thomas Kinge, Juni <sup>r</sup> ,
M <sup>r</sup> Wilkam Thomas,	Micaell Blackwell,
M <sup>r</sup> Joseph Pecke,	James Tisdall,
Wilkam Bartrum,	James Leanard, Juni <sup>r</sup> ,
Wilkam Foard,	Thomas Faunce,
Wilkam Swift,	John Burge,
Joseph Aldin,	John Nelson,
Joseph Church,	Jabez Snow,
Wilkam Thrope,	Seth Pope,
Mellatiah Laythorp,	Joseph Nicarson.
Francis West,	

The Deputies of the seuerall Townes chosen to serue att this Court, and the seuerall Adjournments therof.

Leiff Ephraim Morton,	M <sup>r</sup> Barnabas Laythorp,
Wilkam Clarke,	Ensigne Marke Eames,
M <sup>r</sup> Josiah Standish,	Anthony Snow,
Wilkam Paybody,	Leiff Peter Hunt,
Jeremiah Hatch,	Ensigne Nicholas Pecke,
Samuell Clapp,	John Willis, Seni <sup>r</sup> ,
Thomas Tupper,	Jonathan Burges,
John Hathwey,	Thomas Paine,
Ensigne Thomas Leanard,	John Cooke,
M <sup>r</sup> John Thacher,	Hugh Cole,
John Miller,	John Thompson.
Leiff Laythorp,	

[\*27.]

\*Att this Court, a letter directed from his ma<sup>tie</sup>, our so<sup>v</sup> lord the Kinge, vnto our honored Gou<sup>r</sup>, to be comūicated to our collonie, was publickly red in the audience of the Generall Court of this jurisdiction, wherin was expressed his ma<sup>ties</sup> fauorable aspect on this collonie, with his settlement of Mount Hope theron, with a further amplyfication of his graciouse cander in ading promises of further grace, in a loueing tender to enlarge our pattent liberties and priuiledges; and in thankefull acknowldgment heerof, it was vnanimusly concluded by our said Court a messenger or two shalbe sent ouer as agents in the collonies behalfe, as a testimoniall of our reall thankfulnes vnto his majesty, and



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to waite his pleasure for the compleating of his said gracious tenders to vs, for which, as primarily and mostly wee stand engaged vnto our good God, soe nextly wee lye vnder many obligations of thankfulness vnto his ma<sup>tie</sup>, our dread sou<sup>r</sup>, and such others as haue bin instruments for our good respecting the p<sup>m</sup>ises.

Att this Court, the towne of Scittuate, by their agents, proposed their case to the Court respecting their p<sup>s</sup>ent sad, vnsettled condition, relating to their longe and great contest concerning their vniting or not vniteing in one body, and settleing their meeting house or meeting houses accommodate ther-vnto; after diuers considerations and agitations about the same, it was concluded by the Court as followeth:—

Concerning Scittuate vper meeting house, wee judge what the Court or com<sup>m</sup>ittee did in reference to the building of a meeting house for the church or society there, and the ordering the defraying of the charge therof by a rate vpon that societie, or those that were of the first societie there, and doe yett soe continew their habitations there, to be just and grounded on the law; but wee allow not that those that were neuer of that societie should be forsed to beare charge about that, but if any of that church and societie be liueing below the Mill Brooke, they shall neuertheles doe their duty to the vper church, and this shalbe their rule in raiseing maintenance for support of the minnistry there for future, vnlesse they shall agree to some other way.

An Order directed to Leiff Macye and Wiltam Harvey, of Taunton, to be com<sup>m</sup>unicated to the Propriators of the North Purchase, soe called, being in the Liberties of Taunton aforesaid.

Loueing Frinds: Haueing receiued some information from the Reuerent M<sup>r</sup> Shoue and your deputies of some greiuaunce and injury which M<sup>r</sup> Shoue hath received from some of the propriators of your towne in the North Purchase, wherein himselfe and most of said purchasers conceiue hee had a just right, though his name, through ouersight, was left out of the deed; and if because through his being informed that the Company would pay his p<sup>te</sup> of the purchase, the which hee thankfully accepted, he did omitt the laying downe of the purchase mony, and therby be deprived of his right, it willbe a considerable reflection on the opposites ther-vnto, which wee desire and hope you will timely prevent, and not occasion an other course to be taken, which will not tend to your honor or comfort, but in hope by your due considerations and actings in the p<sup>m</sup>ises, you will prevent further trouble to yourselues, vs, or any others concluded. Therin wee rest your loueing frinds, &c.

See an explanation of this order six pages forward in this booke.

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Whereas complaint is made by the select men of Barnstable, that one Ephraim Phillipps, an idle, extravagant man, and Marcy, his pretended wife, are lately come into Barnstable without their consent, from Taunton, where they lately for some yeer or yeers haue had their residence, and notwithstanding the select mens warning them not there to abide, but to depart out of the said towne, they haue refused, or quickly returned againe after their departure out of the said towne, intending there to resyde, wherby they are like to be charged, and otherwise anyoed and damnified, and whereas the select men haue, according to order of Court in that case provided, made their application to this Court for redresse, these are therefore in his majesties name to will and require you presently on receipt heerof, to attach the said Ephraim Phillipps, and Marcy, his wife, and them to carry or convey to the constable or select men of the towne of Taunton, whoe are heerby in his said majesties name required to receiue them, and there suffer them to abide vntill the Court shall otherwise order.

[\*28.]

\*Whereas, in the settlement of John Damans estate, the Court settled vpon his widdow the thirds of the land, and one end of the dwelling house, one third of the seller, and one third of the barne, to be possessed, improved, and enjoyed by her during her widdowhood, and when shee changed her condition, then shee was to leaue the house and land, and to haue the thirds of the profits therof, and thence forward the possession and improuement therof to be in the eldest sonnes hand. Now, that hee may enjoy the benefitt of the Courts determination, and Peter Bacon, whoe married the widdow, be not deprived of the full benefitt of the thirds, it is ordered by the Court, that John Cushen, Nathaniell Tilden, & Steuen Vinall, shall impartially and judiciously vallow and prise, according to their best discretions, the yeerly vauation and due worth of the aforesaid thirds, and that Daniell Daman shall giue in sufficient securitie to Peter Bacon, during the life of Martha, the wife of the said Bacon, her life for the payment therof, and that Peter Bacon doe with all convenient speed depart out of the house and of from the land, and leaue it vnto Daniell Daman in full and quiett possession therof.

Forasmuch as wee are informed and haue cause to feare, that for want of right information the Court was misled, and that not soe just and righteous a determination and conclusion as otherwise might or should haue bin in order vnto the settlement of the estate of Sergeant John Daman, now, to the end that mistakes may be rectified and apparent wrong and injury remoued, it is ordered by the Court, that a warrant be sent to Peter Bacon to require his appeerance att the Court of his majesties name to be holden att Plymouth the first Tuesday in July next, then and there to answere such complaints respecting the

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¶mises as are or may be made against the order that the said Peter received from the Court in March last ; and the Court haue further ordered, that the said Peter Bacon be heerby prohibited for further acting vpon or improueing of the estate of lands of Serjeant John Daman by the said order.

John Sutton, of Scittuate, came before the Court and declared, that hee, haueing bought of John Daman, of Scittuate, the moyety or halfe in deale of one whole share of Conahassett land, except twenty fiae acres of the first deuision and a smale p̄sell of marsh or meddow land, and alsoe all the interest belonging to John Daman in the three mile square by Accord Pond, these being excepted, hee haueing sold the halfe in deale of all the rest of our whole share of Conahassett land vnto the said John Sutton, and reseiued of the said John Sutton full satisfaction for the same, as doth appeer by a deed written by the order and direction of the said John Daman, and by him owned, vpon the reading therof, to be the bargaine betwixt them ; which deed is attested to by Major Cudworth, and likewise it is acknowledged, owned, and confessed vnto by Thomas Hiland, Senir, and John Booth, and Joseph House, that hee had sold John Sutton the before mentioned p̄mises, and receiued satisfaction for the same, and yett the said John Sutton hath noe legall deed for the same ; and the Court takeing notice in the law book, chap̄ first, concerning Courts of Assistants and Majestrates, section the 5, that the Bench shall haue power to determine all such matters of equitie as can not be relieued by the cōmon law, wherfore, that the said John Sutton may quietly enjoy what hee hath honestly bought and payed for, this Court doth order, that John Sutton shall apply himselfe to Peter Bacon for a deuision of the twenty acres of vpland and the meddowes, and the halfe share of the undeuided land of Conihassett ; and incase they agree not, then Marshall Nash is heerby ordered and required to goe to Scittuate, and make deuision of the said land, and possesse John Sutton of what is his p̄te, and the charge of the marshall to be satisfied.

I, being ordered by the Court, sometime in June in the yeer 1681, to make a deuision of land betwixt Peter Bacon and John Sutton, and accordingly I did it, both of vpland and meddow, and deliuered to the said Sutton his p̄te to him, by turffe and twigg, in his ma<sup>ties</sup> name. Wittnes my hand.

SAMUELL NASH.||

In reference vnto the dispose of the estate of John Curtice, of Scittuate, late deceased, the Court haue ordered, that it shalbe deuided into fiae p̄tes, wherof two p̄tes therof is disposed vnto his eldest brother, Thomas Curtice, liueing att Yorke, in the Province of Maine, and the other three p̄tes vnto

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[\*29.]

Richard Curtice, and William Curtice, and Elizabeth the wife of Jacob Bumpas, onely the said woman is to haue her p̄te out of the mouables of the said estate, and not to haue any p̄te of the lands.

\*In answare vnto the petition of William Tubbs for a peece of land lying on the backsyde of Indian Head Riuer Pond, the Court haue graunted vnto him and Abraham Peirse, to each of them, an hundred acres therof, if there be soe much good land there; if not, that then that which is good be equally deuided betwixt them, the said Wilam Tubbs and Abraham Peirse, in equall and alike proportions both for quantity and qualitie.

Libertie is graunted by the Court to Jonathan Morey to draw and sell wine, liquor, beer, and cyder, and to prouide lodging for the refreshing of traouellers as there may be occation, and that hee be prouided with nessesaries for that end and purpose; and hee is to keep such good order in his house, as that hee incurr not just blame in that behalfe.

In answare vnto the petition of Serjeant John Barker, that hee might be freed from bearing armes on training dayes, the councell of warr, haueing considered his pleas, — first, that hee not onely serued as a serjeant against the late rebellious enimie, but that hee had alsoe a comission from the generall of the army to officiate in a hier office; alsoe, for that hee was sore wounded by ingagement with the enimie, to his great detrament, — doe therefore graunt his said petition.

Wheras the Court are informed concerning one Isacke, an Indian, lueing att Saconett, that although formerly hee was out in rebellion against vs in our late warr, yett notwithstanding that hee did returne to the English againe, and hath since don them good service, and doth carry very well, and giues good grounds of hope that hee is religiously affected, hee desiring that hee may haue libertie to make vse of a gun which *which* an other Indian bestowed on him, this Court doth heerby giue libertie vnto him, the said Isacke, the Indian, to make vse of the said gun, and to carry it abroad as hee hath occation without disturbance or opposition from any, and that these shalbe for his protection.

Att this Court, an order was sent to Middleberry and Bridgewater to send there agents to giue meeting each to other att the next July Court, in order to the settlement of the bounds betwixt the said townes.

In answare to the petition of Job Randall, a wounded souldier in the late warr, for releiffe, the Court allowes vnto him the sume of ten pounds.

Jonathan Banges, of Eastham, is allowed and approued by the Court to be ensigne bearer of the milletary company of Eastham.

Forty shillings is abated of the rate which was due to the country from Middleberry the last yeer.

Sensures and Fines for Matter of Fact.

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John Burnett, for his abusive threatening speeches and other abusive carriages, att sundry times, in seuerall places of this jurisdiction, was sentenced by the Court to continew in durance vntill hee hath satisfied what is due to the jayler, and other charges of bringing him to prison, &c, which hee is to doe with speed; and that being pformed, hee is within six dayes after to depart this gofment; and after the said six dayes is expired, if hee shalbe found in any pte of this jurisdiction, hee shalbe taken and whipt, and carried out of this jurisdiction by the constables, and not to returne againe into this collonie without lycence from authoritie therof.

In reference vnto Joseph White, James Briggs, and John Cowin, for there refusing to assist the marshall in the execution of his office, they are fined, each of them, ten shillings to the collonies vse.

Thomas Wade, for his wilfully, obstinaty, and contemptuously refusing and neglecting to assist the marshall in the execution of his office, is, according to the law, fined forty shillings to the collonies vse.

\*Timothy White, for defaming the God and Major Cudworth in respect vnto an acte or centance passed in Court, and for his abusive words and carriages concerning that matter, was centanced by the Court to pay a fine of twenty pounds current siluer mony of New England, and to find surties for his good behauiour. [\*30.]

Timothy White, of Scittuate, planter, acknowledgeth } <sup>ll</sup> <sup>s</sup> <sup>d</sup> Released.  
to owe vnto our soũ lord the Kinge the sume of . . . } 20 : 00 : 0

Joseph White, yeoman, the sume of . . . . . 10 : 00 : 0

Thomas Pencen the sume of . . . . . 10 : 00 : 0

The condition, that if the said Timothy White bee of good behauiour vnto our soũ lord the Kinge and all his leich people, and appeer att the Court of his ma<sup>tie</sup> to be holden att Plymouth the last Tusday in October next, and not depart the said Court without lycence; that then, &c. Released.

Ten pounds of the twenty pound abouesaid was taken of from Timothy White by the Court att this Court, in answare to his petition and att the sollicitation of some that interseeded in his behalfe.

The Surveyors of the Highwayes.

Plymouth, . . . . . { James Clarke,  
Abraham Jackson,  
Ephraim Tilson,  
Elkanah Watson.

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Duxĉ,	. . . . .	{	John Wadsworth,
		{	Peter West,
		{	John Hudson.
Scittū,	. . . . .	{	Richard Dwelley,
		{	Peter Collmore,
		{	John Vinall.
Sandw̃,	. . . . .	{	Ralph Alliu,
		{	John Jenkins.
Taunton,	. . . . .	{	Joseph Hall,
		{	Joseph Wilbore.
Yarmouth,	. . . . .	{	Joseph Seuerance,
		{	John Hawes.
Barnstā,	. . . . .	^	^
Marshfeild,	. . . . .	{	Nathaniell Winslow,
		{	Thomas Macomber.
Rehoĉ,	. . . . .	{	Samuell Carpenter,
		{	John Fitch.
Bridg̃w̃,	. . . . .	^	^
Eastham,	. . . . .	^	^
Dartmouth,	. . . . .	^	^
Swansey,	. . . . .	^	^
Middġbery,	. . . . .	^	^

Propounded to be Freeman the next Year, if aproued.

John Branch,	John Woodward,
John Hewett,	Joseph Staton,
Jonathan Morey,	John Smith, Seni <sup>r</sup> ,
Samuell Arnold, Juni <sup>r</sup> ,	Jabez Snow,
John Sherman,	Nathaniell Chaffey,
Israell Holmes,	Joseph Sabin,
Seth Arnold,	Samuell Bullocke,
Anthony Eames,	Thomas Man,
Wiltam Swift,	Samū Penfeild,
Ephraim Swift,	Samuell Robinson,
John Barker,	Francis Carey,
John Miller,	Edward Vobes,
Isacke Howland,	Elkanah Willis.
James Walker, Juni <sup>r</sup> ,	

Joseph Church, Wilſam Bartrum, Jabez Snow tooke the oath of fidelitty  
this Court.

Wilſam Swift, Junir, likewise tooke the oath of fidelittie att this Court.

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*\*Att the 2<sup>cond</sup> Session of the Generall Court held att Plymouth, for  
the Jurisdiction of New Plymouth, the seauenth of July, 1680.*

7 July.  
[\*31.]

BEFORE Josiah Winslow, Esq<sup>r</sup>, Gou<sup>r</sup>,

John Freeman,

Thomas Hinckley, Esq<sup>r</sup>, Deputie Gou<sup>r</sup>,

James Browne,

John Alden,

James Cudworth, and

Wilſam Bradford,

Daniell Smith,

Assistants, &c.

**I**N reference vnto the dispose of the estate of M<sup>r</sup> John James, of Scittuate,  
late deceased, this Court doth order, that wheras the estate is much  
indebted, that Lydia, somtimes the relict of the said John James, shall haue  
and enjoy as her right all the mouables after the full payment of all the debts,  
and the improuement of the house and lands vntill the heire attaines the age  
of twenty and one yeers, att which time the Court allows two thirds of the  
house and land vnto the said heire, and the other third to the said Lydia dur-  
ing her naturall life.

Wilſam Wood is alowed by the Court the sume of eighteen shillings, for  
charge of attendance att two Courts to answare the complaint of one Will  
Symons, an Indian, about the breakeing of his gun.

Phillip Pointing, of Taunton, stands heerby bound vnto the Court, both  
hee, his heires, executors, and adminnestrators, in the penall sume of one  
hundred pounds sterling. The condition, that if the said Phillip Pointing,  
haueing obtained letters of adminnestration to adminnester on the estate of  
Thomas Pointing, late deceased, if, therefore, the said Phillip Pointing doe pay  
or cause to be payed all such debts and legacyes due and owing vnto any  
from the said estate, and euery way saue and keep harmles the Goũ and Court  
of the jurisdiction of New Plymouth from all damage that may acrew vnto  
them, or any of them, by his said adminnestration, and keep a faire account  
of the same, and be reddey to giue in an accountpt when by them required, that  
then the aboue written obligation to be void and of non effect, or otherwise to  
remaine in full force, strength, and vertue.

This Court doth order, that M<sup>r</sup> Nathaniel Thomas, Cap<sup>t</sup> Benjamin  
Church, and Wilſam Paybody shall bound out Tatamanuckes thousand acres

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of land att or about Saconett from the lands of Mamanewett; and the Court haue graunted an hundred and fifty acres therof, viz<sup>s</sup>, of the said Tatamuckes land, vnto Samuell and John Leanardson, and an hundred and fifty acres therof vnto Wiltam Reynalds his children, the said Reynalds haueing bin one of the companies servants, soe called, formerly, and fifty acres therof, viz<sup>s</sup>, of the said land, vnto Zackeriah Padducke, son of Robert Padducke, deceased; these seuerall graunts of lands to be layed and bounded vnto them by the said M<sup>r</sup> Thomas, Cap<sup>t</sup> Church, and Wiltam Paybody, by the appointment of the Court.

Alsoe, this Court haue graunted vnto Richard Wright fifty acres of the said land, viz<sup>s</sup>, fifty acres of the thousand acres of land that was Tatamucks land is graunted vnto the said Richard Wright, to be layed out and bounded for him by the said M<sup>r</sup> Thomas, Cap<sup>t</sup> Church, and Wiltam Paybody; and in defect of M<sup>r</sup> Thomas, Joseph Church is appointed to acte.

Likewise, the Court haue graunted vnto M<sup>r</sup> Thomas Hinckley, Seni<sup>r</sup>, two hundred acres of land out of the aboue named thousand acres of land att Saconett, and haue appointed M<sup>r</sup> Nathaniell Thomas, Cap<sup>t</sup> Church, and Wiltam Paybody to bou<sup>d</sup> and laye it out to him, or any two of them; and in defect of M<sup>r</sup> Thomas or any other, Joseph Church is appointed to help to lay out to M<sup>r</sup> Thomas Hinckley his land.

It was voated by the Generall Court, that our honored Go<sup>d</sup> now in being shall haue ten pounds in siluer mony added to his yeerly sallery a<sup>n</sup>ually.

This Court doth order, that all such as are not of our collonie be heerby prohibited of feching oysters from Taunton Riuer with boates or any other vessells; and incase any such shall psist on in soe doinge after warning giuen to the contrary, this Court doth order John Hathway, of Taunton, and doe heerby impower him to make seizure of such boates and vessells for the collonies vse.

An Order sent to Wiltam Pointing, of Taunton, as followeth.

These may certify vnto you, Phillip Pointing, that you are not to prohibite or obstruct John Hathwey, of Taunton, in his egress and regress in the way from a farme that was formerly M<sup>r</sup> Streets, and from thence to the towne of Taunton.

[\*32.]

\*In reference and in answere vnto the petition of Nicholas Wade, of Scittuate, and his daughter, Elizabeth Steuens, wherin they complaine of a great and sore crosse and trouble by the marriage of Thomas Steuens with the said Elizabeth, the daughter of the said Nicholas Wade, which said Steuens is a man of a debauged life, expressed by his pluralitie of wives, it appeering that att the time of his marriage with the said Elizabeth, hee had a wife that



hee married att Boston, whoe was, as wee are informed, alieu within this three monthes, and, as it is reported, hath a wife and children in England, and another in Barbadoes. The p̄mises considered, the Court sees reason to dismise the said Elizabeth, daughter of the said Nicholas Wade, from the aforesaid marriage bond, and doe heerby declare, that shee, the said Elizabeth, is clearly and absolutely released from her conjugall relation and ingagement with the said Thomas Steuens, and that the said couenant of man and wife between the said Thomas Steuens and Elizabeth Steuens is dissolved and att an end for euer; and that it is att the libertie of the said Elizabeth to make contracts of marriaḡ with another, as shee shall see cause; and the said Thomas Steuens, for his abominable wickednes aboue expressed, is centensed to be seueerly whipt att the post, which was accordingly p̄formed.

The first day of July, 1680. Wee, whose names are vnder written, being called for a jury to testify according to the best of our vnderstanding concerning the occation of the suddaine and vnexpected death of a little child of Thomas Hatches, of Scittuate, of about halfe a yeer old, being found dead in the morning, in the absence of it̄ parents, lying in bed with Waitstill Elmes and Sarah Hatch, the child's sister, wee, haueing viewed the said child, and made inquiry of Waitstill Elmes and Sarah Hatch aforesaid, both vnder oath, doe conceiue the child's death, together with Daniell Pryor, whoe lay in the house that night, finding by testimony that the child had not bin well a day or two before, being troubled with a could, and that it was found dead on its face att a distance from those that then lay with it, yett by view finding it to be very blacke about one syde of the head and some p̄te of the body, wee, according to our information and best vnderstanding, judge, that either it̄ was stifled by lying on its face or accedentially ouer layed in the bed, as a cause of its death.

CHARLES STOCKBRIDGE,  
 THOMAS PALMER,  
 JOHN BUCK, Seni<sup>r</sup>,  
 JACOB BUMPAS,  
 THEOPHILUS WITHERELL,  
 JAPHETH TURNER,  
 ISRAELL TURNER,  
 JAMES DOUGHTEY,  
 WALTER WOODWORTH,  
 STEUEN TILDEN,  
 THO: CLAPP,  
 JOSEPH HOUSE.

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## The Occasion of the Death of John During.

The jury find, that according to their best judgment, and by what light they had by evidence that was with him when hee died vpon a journey, that between Scittuate and Braintrey, was weaknes of body and trouble in his bowells, which hee complained of, that hee died a naturall death, without violence offered him.

JOHN TURNER, Juni<sup>r</sup>,  
JOHN TURNER, Seni<sup>r</sup>,  
RICHARD DWELLEY,  
THOMAS JOSLAND,  
WILLIAM BARRELL,  
JAMES TORREY,  
JONATHAN TURNER,  
JACOB BUMPAS,  
JOHN STUDLEY,  
ISACKE RANDALL,  
WILLIAM PARKER,  
JOSEPH STUDLEY.

## An Explanation of an Order about Scittuate Meeting House, att the North Riuer, as followeth.

This Generall Court, mett now on the adjournment, July, 1680, declare the sence of that charge in the order aboue mensioned, viz<sup>d</sup>: that wee allow not that those that neuer were of that society should be forced to beare charge, &c, is intended those onely that neuer were of that societie, but remaine still of the other, viz<sup>d</sup>, the lower or first society, comonly soe called. See the order, six pages backward in this booke. This was voated to be the sence in that order.

M<sup>r</sup> Randolph was admitted to be a freeman of this corporation, and sworne.

[\*33.]

\*These p<sup>s</sup>ents witness an agreement between Samuell Fuller, Seni<sup>r</sup>, of Barnstable, on the one p<sup>t</sup>e, and Steuen Skiffe, of Sandwich, on the other p<sup>t</sup>e, in manor and forme following: —

Videlecett, the said Samuell Fuller condecendeth, agreeth, and concludeth, by these p<sup>s</sup>ents, to relinquish to the said Steuen Skiffe and towne of Sandwich, and for himselfe, his heires, executors, and adminestrators, doth for euer

quitt claime all the right, title, and interest which hee hath, or pretended to haue, ought, or might haue att Scauton, without the bounds of Barnstable and within the bounds of Sandwich; and the said Samuell doth alsoe declare and signify his desire to the honored Court to haue that record of the Courts judgment of some lands on the said Scauton, within the bounds of Sandwich, to belonge to the Fullers, about which there hath bin soe much contest heertofore, to be made null and void; and the said Steuen Skiffe doth for himselfe and the towne of Sandwich, as their agent, couenant and graunt to the said Samuell Fuller, that hee shall and may haue libertie to cutt and take away from the cōmons att Scauton Necke, within Sandwich bounds, for to fence that marsh of his which lyeth within Sandwich bounds, what fenceing stuffe may be needfull for the same; and that the said Samuell Fuller, his heires and assignes, shall haue from time to time libertie of a way, with free egesse and regresse through Sandwich lands into his land att Scauton, hee and they making fast such gates or barrs as may be there to prevent damage to them. In witnes wherof they haue heervnto sett their hands, this 30<sup>th</sup> of June, 1680.

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SAMUELL FULLER,  
STEUEN SKIFFE.

In the p̄sence of  
Thomas Hinckley, Deputy Goū,  
Mary Hinckley.

John Fuller doth aquiessey in this agreement of his vnkells and Steuen Skiffes, and doth desire that the record fore mentioned in this aboue writing should be made void; and that hee, the said John Fuller, hath receiued full satisfaction respecting the lands that were in controversy, viz<sup>s</sup>, the Fullers and Sandwich mens on Scauton Necke.

Wheras it doth appeer to the Court, that the widdow Daman did sett forth vnto the said Zachery Daman his portion to be in that lott of land which lyeth on the third clift, his portion being twenty pound; and the said widdow did further promise, that when shee left of improueing the remaining p̄te of the said lott, then the said Zachery shall haue the whole lott, paying the said widdow three pounds, which the said Zachery did engage to doe; and the said widdow did ingage not to sell, or giue, or dispoise of the said p̄te of the lott to any other p̄son; and this appeers by the testimonyes vpon oath of Wiltam Brookes and Thomas Woodworth; wherfore the Court can not but allow the aforsaid lott to be the aforsaid Zachery Damans, hee paying three pounds of siluer mony to his mother in law.

This Court is adjourned vntill the last Tusday in September, 1680.

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\*Wheras att the Court of his ma<sup>tie</sup> held att Plymouth, for the jurisdiction of New Plymouth, June, 1669, Prence Goſſ, some p<sup>te</sup> of the following graunt and order was ordered, graunted, and entered; and since, att the Generall Court of his ma<sup>tie</sup> held att Plymouth the 7<sup>th</sup> of July, 1680, the other p<sup>te</sup> was graunted, and should haue bin entered, but could not be entered soe as to be legable by reason there was not rome in that place of the booke.

It is, viz<sup>d</sup>, the whole intire order and graunt as followeth:—

June, 1669. Att this Court, the Court graunted, that Namassakett shalbe a townshipp, and to be called by the name of Middberly, and is bounde with Plymouth bounds on the easterly syde, and with the bounds of Taunton on the westerly syde, and the bounds of Bridgwater on the northerly syde or end, and on the southeſly syde or end to extend six mile from the wading place, and att the end of the said six mile to run east to Plymouth line, and from the said line west to Taunton line; and incase the west line runs to the southward of Taunton line, then to run vntill wee come vp to the most southernmost p<sup>te</sup> of Taunton bounds, and then square of north to it; and it is further ordered by the Court, that a competencye of land be prouided and reserued for a minnester within their township of such lands as are vnurchased.

[\*35.]

\*By this publicke acte and instrument of protest, be it knowne and manifest vnto all Christian people, that vpon the 13<sup>th</sup> of this instant Nouember, anno Doñ 1679, psonally appeered before mee, Nathaniell Morton, Secretary to the Court for the jurisdiction of New Plymouth, M<sup>r</sup> Allexander Watts, comānder of the sloop the Anne and Elizabeth, of New Yorke, which apparer did alledge, affeirme, and proued by the witnesses whose names are heer vnder written, that hee, the said appeerer, being bound on a voyage from New Yorke to Boston, in the goſūment and jurisdiction of the Massachusetts, being on his course from Martins Viniyard toward Boston aforesaid, being ouer night gotton towards or past the pitch of Cape Codd, intending for to fech Cape Anne for a harbour, the wind did soe shrink vpon vs as wee could not doe it, and blew soe extreemly hard as wee splitt our mainsayle, haueing two riffes in, and had a great and terrible sea, soe as it made a free passage ouer our said vessell, the wind still contineweing att northwest and att northnorwest; and about twelue of the clocke on the day and yeer first aboue written, wee bore vp and layed her head to the sou<sup>th</sup>ward, the storm still contineweing vpon vs; and about nine or ten of the clocke in the night, the wind being shifted to northnor-east, and the night very darke, soe that wee could not lay it offe, wee were forced on shore vpon Cape Codd, and within a very short time our vessell was

filled with water vp to the very decke; and on the day following, viz<sup>d</sup>, the 14<sup>th</sup> day of this instant, the winds and weather abated through the goodnes of God, soe as wee had an oppertunitie to gett seuerall of our goods on shore that lay on the windward syde; the next day, wee indeauored to gett the water out of her, by boreing holes in her; the same day, att night, about ten or eleuen of the clocke att night, wee had some healp come to vs from Eastham, to gett out some more of our goods, and to baile some more of the water and sand that was washed into her; and the same night, before daylight, wee carryed out our great ankar & cable to the better end, the wind being then att westsouthwest, a smale wind and prettey smooth water; and the same morning, betwix six and seauen of the clocke, with much difficulty, wee houe her off. This morning, as soone as wee had gott her off, wee gott what goods wee possibly could on board of the said sloop; and the wind coming vp att south and south and by west, and blowing fresh, raised such a sea that our boate could not linc by our syde to put on board any more goods, soe as wee were constrained to leaue seuerall of our goods behind vs; therfore this appeerer, as well for him as his companie, hath and doth heerby sollemly protest against the sea and storme, viz<sup>d</sup>, that by Gods ordering hand in the said storme and tempest, all costs, charges, damages, losses, detriments, inconueniences, sufferences, and spoyles had, done, suffered, or sustained, came by the said storme and tempestuous winds. This was affirmed and witnessed by

ALEXANDER WATTS,  
HENERY MORE,  
JOHN GLOUER,  
ROBERT PELTON,  
ISACKE NORTON.

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\*This instrument of protest may certify all whom it may concern, that Mr Samuell Pelton, m<sup>r</sup> of the barque Anne, of Boston, in the jurisdiction of the Massachusetts, in New England, appeared before mee, Nathaniell Morton, Secretary to the Court for the jurisdiction of New Plymouth, on the 9<sup>th</sup> day of this instant January, 1679, and asserted and testified, that on the 24<sup>th</sup> day of December last past before the date heerof, hee anchored the said barque in the harbour of Cape Codd, and by reason of the extremity of the weather, and not haueing cables sufficient to ryde their vessell, they were forced on shore about 12 of the clocke in the night, by reason of the breakeing of their cable, wherby they receiued damage in their cargoe now on board the said vessell, being extremly laden with iyce and haueing about three foot water in the hold, which occasioned much difficulty and trouble to gett her off: and by

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reason of the said difficulties and troubles, they were nessesitated to keep att the said cape fifteen dayes ; but it pleased God soe to dispose for them, that on the fift day of this instant January, 1679, they gott off againe, and anchored the second time in the aforesaid harbour of Cape Codd ; and on the eight day of this instant January, they ariued in the harbour of Plymouth, in New England ; and for the veritie and truth of the p̄mises, the said master, for himselfe, with the concurrence of the companie, shewed theire reddines to make oath heervnto as occation may require, and likewise haue heervnto subscribed theire hands, this 19<sup>th</sup> of January, 1679, as attesteth Nathaniell Morton, Secretary to the Court for the jurisdiction of New Plymouth, anno Doñi 1679.

SAMUELL PELTON, Master,  
ROBERT PELTON, Masters Mate,  
JOHN SANDERS, Seaman.

28 September. \**Att the third Session of the Generall Court held att Plymouth the*  
[\*37.] *28<sup>th</sup> of Septeñ, Anno Doñi 1680.*

BEFORE	Josiah Winslow, Esq <sup>r</sup> , Gou <sup>r</sup> , and	John Freeman,
	Thomas Hinckley, Esq <sup>r</sup> , Deputie Gou <sup>r</sup> , and	James Browne, and
	John Alden,	James Cudworth,
	Wilłam Bradford,	
	Assistants, &c.	

**W**HERAS the honored Goñ, Deputy Goñ, and the Treasurer are appointed a coñmittee, in the collonies behalfe, to mannage the sale of Mount Hope, and the expedition of our addresse to his ma<sup>tie</sup>, our dread soñ, lately agreed on by the Court, the said coñmittee haueing att this Court giuen an account of theire proceedings respecting the premises, the Court doth heerby expresse theire thankfull acceptance therof, and doe heerby ratify and confirme theire proceedings therin, and did order the same to be entered on the records of the Court.

It was voated by the Court, that the suñe of three hundred pounds of the prise of Mount Hope be forthwith distributed amongst the seuerall townes of this collonie, according to the seuerall proportions rated on the said townes for the charges of the collonie this yeer.

[\*38.]

\*M<sup>r</sup> John Miller and Jeremiah Howes were aded to the coñmittee att

Yarmouth for the disposing of lands to the seuerall inhabitants therof as occasion may require.

Plymouth, the 5<sup>th</sup> of the first, 73, 74.

In reference vnto a controuersye that was between the towne of Sandwich and M<sup>r</sup> Thomas Dexter about the bounds of some meddow lands lying about Pyne Iland, it was left by both parties vnto M<sup>r</sup> Thomas Prence, M<sup>r</sup> Thomas Hinckley, and myselfe to determine wher the bound should be; M<sup>r</sup> Goff Prence and myselfe agreed that the head of the vpper creeke should be the bounds of M<sup>r</sup> Dexters meddow.

#### CONSTANT SOUTHWORTH.

In reference vnto Humphery Johnsons petition to this Court, the Courts answare is, that although they are apprehensieue of his right to some lands in Scittuate, yett the parties concerned therein being not present, they can not determine any thinge therein; onely they haueing heard, that there is an intention in Scittuate men to consider of that affaire amonge themselues, and make proposalls for the quiett issueing of that controuersye, which this Court desires, and would hope may be effected, but if otherwise, they shalbe reddey to doe what is agreeable to right and justice therein, if it shalbe brought in a legall way before them.

Wheras formerly some of the names of the milletary company of Sandwich were presented to the Court for their approbation to be officers of that companie, which nomination mett with some obstruction, this Court heerby orders the said milletary companie to renew their choise, and nominate some fitt persons of their said companie to serue in the offices of leiftenant and ensigne of the same, and to send their names vnto the next Court of his matie, to be holden att Plymouth the last Tusday in October next, for confeirmation, as the Court shall see cause.

Libertie is graunted vnto M<sup>r</sup> Thomas Dexter to keep an ordinary att Sandwich for the entertainment of strangers, and that hee be well prouided with nessesaries for that purpose, and to keep good order in his house, soe as not to incurr any just blame on that behalfe.

A smale iland in Assowamsett Pond, commonly called Daniells Iland, is graunted by the Generall Court vnto Major Wilham Bradford; and the Court didd att the same time condition, that such other lands as lyeth att or on Assowamsett Necke, or <sup>^</sup> and places adjacent, shalbe and belonge to the proprietors of Middleberry as their proper right, without molestation from any, excepting any lands that doth or may appeer of right to belonge to any Indian or Indians.

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Wheras complaint hath bine made by the deputie of Bridgwater that they haue sustained wronge, for that the lines haue not bine run betwixt Middlebery and them ; whervpon the Court saw cause to require both Middlebery and Bridgwater to appoint and send their agents for settlement of the bounds betwixt them ; the agents of both townes appeering to make plea on both sydes respecting the p̄mises, and the agents of Middlebery appeering and continewing att the Court, and the agents of Bridgwater abruptly. goeing away before the thinge was effected, this Court requires Bridgwater to send their agents to the Court to be holden att Plymouth the last Tusday in next October, to giue a reason of their soe acting.

[\*39.]

\*The Generall Court, takeing into their consideration the many fauors wee haue received from the Lord the yeer past, in the continuance of our peace, a considerable measure of health in our tabernacles, and the great blessing wee haue had vpon the labours of our hands and the fruits of the earth, with the injoyment of our liberties both sacred and ciuill, through the mercy of our God and the fauor of our prince, doe propound the twentieth day of October next ensueing to be cellibrated as a sollemne day of thanksgiueing by all the congregations in this collonie, wherein wee may p̄sent our joynt praises to our good God for these and whateuer other mercyes wee doe enjoy, requesting grace att his hands to walke in a holy improuement of them, to his glory and our eternall good.

Thought meet to allow vnto our honored Gouvernor and Deputy Gouvernor, to each of them, the sume of six pounds, in compensation of their charges expended and care and paines taken, in the collonies behalfe, in and about the late addresse of our collonie to his ma<sup>tie</sup>, our dread soñ, &c.

And vnto the honored Major Cudworth the sume of three pounds, in such like respects.

This Court voated a debt of three pounds, due and owing to Captaine Curren from the collonie, to be payed by the Treasurer.

And vnto John Paysley, of Yarmouth, whoe was out in the late warrs, and is since become a cripple, the sume of three pounds, provided that hee trouble the Court noe more on that account.

Att this Court, John Hathwey, of Taunton, was sworne constable of the neighborhood or ward of the Fall Riuer and places adjacent.

And John Read, of the same place, sent vnto by the Court to appeer att the next Court to take the oath of a grandjury man for the same precincts.

Att the Court of his ma<sup>tie</sup> held att Plymouth, for the jurisdiction of New Plymouth, the seauenth of June, one thousand six hundred eighty and one, —



To all Christian people to whom these p̄sents shall come, John Wyburne, of Boston, in the Massachusetts collonie, in New England, marrinor, sendeth greeting.

Know yee, that wheras Samuell Clapp, Thomas Kinge, Theophilus Witherell, of Scittuate, Ephraim Little, of Marshfeild, and John Rogers, of the same towne, and all of Plymouth collonie, in New England, p̄tenors of the good barque called the Adventure, of burden about forty tun, now being or rydeing in the North Riuer, haue lett to hier the said barque for a voyage to the West Indiaes or elswhere, being a dangerous voyage by reason of herecanes, and otherwise without legall notice giuen to the said Wyburne or his consent to the said voyage, the said Wyburne being an eight p̄te owner of the said barque, the vessell being lett since the begiñing of May last past before the date heerof, and the said Wyburne neuer haueing delinered vp possession of her, as hee was m<sup>r</sup> of the said barque; yett notwithstanding an other man is put in for m<sup>r</sup> by what is aboue written, and many other illegall actions of the p̄tys aboue said, the said Wyburne is damnified to a very considerable vallue; these are, therefore, vpon the former considerations and many other reasons that may appeer, to certify and declare, that the said Wyburne doe by these p̄sents protest against Samuell Clapp, Thomas Kinge, Theophylus Witherell, Ephraim Little, and John Rogers, Seni<sup>r</sup>, all their ilegall actions and actings concerning the p̄mises, wherby the said Wyburne is alreddy or may heerafter be damnified, by letting the said vessell, without Wyburnes consent, and other actions illegally don by them, as may appeer; and alsoe I doe protest against Roger Yelling, the pretended master of the said barque, for carying away the said barque without Wyburnes consent, and other p̄son and p̄sons that concerne themselues in the voyage, wherby the said Wyburne may be damnified; for confeirmation wherof I haue heervnto sett my hand.

JOHN WYBURNE.

The 8<sup>th</sup> of June, 1681.

*\*At the Court of his Ma<sup>tie</sup> held att Plymouth, for the Jurisdiction of New Plymouth, the 27<sup>th</sup> of October, Ann<sup>o</sup> Doñi 1680.*

27 October.

[\*40.]

BEFORE Josiah Winslow, Esq<sup>r</sup>, Goũ,

James Browne,

Thomas Hinckley, Esq<sup>r</sup>, Deputie Goũ,

James Cudworth, and

John Aldin,

Daniell Smith,

Wiltam Bradford,

Assisĩ, &c.

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Goũ<sup>r</sup>,  
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Gov<sup>r</sup>.  
PART I.

**I**N reference vnto a poor orphan, named Sarah Nesfeild, liueing att Mannamoiett, whose father was slaine by the Indians in Cap<sup>t</sup> Peirses fight, which orphan was left att Mannamoiett aforsaid in a destitute condition, and taken in and kept by Trustrum Hedgis and Anne, his wife, soe as it is recouered of his weakes and forlorne condition, it being about six yeer old att the date heerof, the said Trustrum Hedgis and Anne, his wife, haueing bine att some considerable charge and trouble in the keeping of her, and requesting some satisfaction for the same, the Court doe allow vnto them fīue pound; and although they are well satisfied that of right it belonges to each towne in this gofūment to releiue theire owne poor, yett forasmuch as the village of Mannamoiett is in its infancye, and therefore not soe able soe to doe as others, the Court doth therefore award the said neighborhood of Mannamoiett to pay vnto the said Hedgis the suūe of three pounds of the said fīue pound, in good currant country pay, att prise currant, vpon his demand, or in some short time after, and the remaining forty shillings to be payed by the Treasurer.

In reference to John Harmon, a decipred man, whoe came from Taunton vnto this Court, concerning whome debate hath bine had before the Court by seuerall of the towne of Taunton and seuerall of the towne of Plymouth, vnto which place of the two hee should belonge, it was ordered and determined by the Court, that hee continew att Plymouth vntill June Court next, and to be releued in his nessesities by the said towne vntill then; and that the one halfe of the charge that shall arise therby shalbe borne and repayed by the towne of Taunton vnto the towne of Plymouth, accordingly as John Richmond, theire agent, engaged; and att June Court, that the case be then refered to the Generall Court for a finall determination.

In reference vnto forty acres of meddow formerly graunted vnto Mistris Elizabeth Poole, of Taunton, deceased, now appertaining vnto her successor, M<sup>r</sup> John Poole, marchant in Boston, forasmuch as the bounds of the said meddow, by reason of rubbish groune vp, can not be descerned, which occasioneth some disputes between the tenants of the said John Poole whoe improue the same and the neighbors next adjoyning, whoe haue injoyed theire rights bordering theron for the space of twenty yeers in peace, this Court doth order, that M<sup>r</sup> Poole be speedily informed of the p<sup>r</sup>mises, and required to make the bounds of the said meddow to appeer, in order to a settlement therof according to equity and justice, and for the preventision of future differences about it, which, if neglected, the Court will see themselues nessesitated to take some speedy course for the settlement therof.

Att this Court, John Cooper, of Barnstable, appeered, and by and in his behalfe declared to the Court, that hee hath bine in his younger time a faith-

full, proffittable servant to this collonie and to their interest beyond many, and hath neuer yett obtained any considerable graunt of land from the country, nor otherwise considered for his good seruice, the Court ordered, that if in the interem of time betwixt this date and the next June Court, himselfe, or any frind for him, can by inquiry come by the knowlidge of any land in this collonie vndisposed of, and acquaint the Court therwith, hee shall then haue a competencye therof graunted vnto him and settled on him; and incase of falyer therof, to be competently otherwise considered.

Att this Court, Thomas Tupper is approued and appointed by the Court to be leiftenant of the milletary companie of Sandwich, and John Gibbs to be ensigne bearer therof.

Att the Court of his ma<sup>tie</sup> held att Plymouth the first of March, 1680, Humphrey Johnson and John Thomas made oath to the last will and testament of our honorable Gou<sup>r</sup>, Josiah Winslow, Esq<sup>r</sup>, deceased.

1680.

27 October.  
WINSLOW,  
GOU<sup>R</sup>.  
PART I.

1680-1.

1 March.

*\*Att the Court of his Ma<sup>tie</sup> holden for this Gou<sup>r</sup>ment att Plymouth, the first of March, 1680-1.*

[\*41.]

BEFORE Thomas Hinckley, Esq<sup>r</sup>, Deputie Gou<sup>r</sup>,  
John Alden,  
Wiltam Bradford,  
John Freeman,

James Browne,  
James Cudworth, and  
Daniell Smith,

Assistants, &c.

**W**HERAS Cap<sup>t</sup> Wiltams and some others exhibited a petition to the Court, requesting that they would graunt them a deuision of the vndeuided lands of Conahassett, this Court doth order, that it may be signified to the purchasers of Conahassett, that they judge it to be rationall that they come to an equall deuision, and doe advise them speedily soe to doe; and in the mean time judge it meet, that they, the p<sup>r</sup>tenors and purchassers, sell noe timber for barke in any wise nor vpon any other account but what shalbe or may be for p<sup>r</sup>sent nessesitie, in order to building or fenceing for his or their owne vse in Scittuate, and noe otherwise, and that the said purchasers sett vpon the worke of deuision before the leaues come forth.

Libertie of adminnstration is graunted vnto Jonathan Bosworth, Seni<sup>r</sup>, to adminnester on the estate of John Cogley, deceased.

1680-1.

1 March.  
PART I.

This Court graunteth libertie vnto Jonathan Bosworth, Seni<sup>r</sup>, and Samuell Pecke, adminnistrators on the estate of Nathaniel Pecke, late deceased, to make sale of a peece of land containing eight acres and an halfe, lying next to M<sup>r</sup> Anthony Lowes land, vpon the necke of land called Phebeys Necke, and the comōnage on the New Meddow Necke, with the addition of the forty rodd, all which belonged to the said Nathaniel Pecke, deceased.

Wheras there was an order of Court made the 4<sup>th</sup> of July, 1673, requiring the comission officers in each towne to make serch and take notice of the defects of armes and amūnition in each townshipp, these are, therefore, to require you speedily to make serch for defects as aforsaid, according to the said order; and such as are defectiue, you are to giue them one months time to prouide themselues therof, according to the said order.

The sume of 15<sup>s</sup> is alowed to the three agents of Midlebery, to be payed them from the towne of Bridgwater, for that the said agents of Middlebery attended the Court in reference to the defference between the said townes about theire bounds, and Bridgwaters agents went away, and left them, before the controuersy was ended by the Court.

That an order be sent to the towne of Yarmouth, to make choise of a fitt pson to keep an ordinary in that towne, and to send his name to the Court for approbation.

In answare vnto the desire of Edward Sturgis for an order or lycence to keep an ordinary, in regard hee liues soe farr out of the way or comōn road, soe as hee can not conveniently entertaine strangers, the Court sees not reason to giue him any lycence thervnto.

In reference vnto a poor orphan named Sarah Nesfeild, being in the custody of Trustrum Hedges, the Court doth order, that the towne of Manna-moiet doe prepare and prouide a fitt place for the said child, and remoue it thervnto; and the Court doth free them from the payment of the three pound which was ordered them to pay to the said Hedgis for and towards the keeping of it.

Memorand: that the mony due to the collonie for the fishing att the Cape this yeer is payed by M<sup>r</sup> Nathaniel Thomas, and disposed of according to order of the Court.

Memorand: that the Court haue ordered M<sup>r</sup> Nathaniel Thomas to lay out the thousand acres of land giuen and reserued by Josias Wampatucke for his son, and to lay out an hundred acres of it to Gorge Wampey.

This Court haue fined Nathaniel Southworth and Joseph Warren, Juni<sup>r</sup>, each of them, ten shillings, for neglecting and refusing to aid the constable of Plymouth in the execution of his office; but if payed willingly, but each of them five shillings.

•Plymouth, the 29 October, 1680.

1680-1.

1 March.  
WINSLOW,  
GOU<sup>r</sup>.  
PART I.  
[\*43.]

Whereas the Generall Court incurraged and ordered the church and society att the North Riuer, att Scittuate, to erect a new meeting house for the worship of God, and sett the bounds how farr they should rate for the defraying the charges therof, namely, vpon all the inhabitants therof from the mill brooke vpwards, which order of the said Court was afterwards further explained by the Court, and declared to be their full intent and purpose that the said order should be obserued, with this prouiso, namely, that the p̄ticular p̄sons heer named, that liue aboute the mill brooke, namely, Jeremiah Hatch, Thomas Hatch, M<sup>r</sup> Thomas Palmer, Samuell Clapp, being of the lower societie, should be exempted out of the said rate; and that these p̄sons heer named, whoe liue below the mill brooke, namly, Mistris Elizabeth Tildin, Richard Curtice, John Turner, Charles Stockbridge, should be put into the said rate; this Court doth declare and rattify this their said acte, and doe require and expect, that according to this rule, the rate be made and collected by the congregation and societie vp the riuer for finishing the meeting house, and for maintainance of the minnistry, and all nessesarie charges for incurragement and support of the worke of God amongst them; and this Court doth promise and resolute, according to their power and interest, to strengthen the hands of that church and societie in their due attendance to this order.

The Generall Court mett now, being adjurned to July the 8<sup>th</sup>, 1680, declare their sence of that clause in the order bearing date the 3 of June, 1680, that wee allow not that those that neuer were of that societie should be forced to beare charge, &c, is intended to be those onely which never were of that society, but remaine still of the other, viz<sup>d</sup>, the lower or first societie, comonly soe called.

Voated to be  
the sence of  
that clause in  
this order.

The Generall Court, haueing taken into their seriouse consideration the great waight of those concernes now before them, as alsoe the labouring cause of God in the world, doe comend it to all the churches and people of God in this collonie to sett apart the last Weddensday in Auḡst next as a day of sollemne fasting and prayer, wherein to seeke the face and fauor of God to vs and his whole people and interest throughout the Christian world, and especially that the Lord would direct in, and owne, and blesse that our vndertakeing and waighty applycation to our soū lord the Kinge, for the preservation, continuance, and inlarḡment of those good privileiges and liberties, sacred and ciuill, that for soe longe a time wee haue had the comfortable injoyment of, that wee may find fauor in the eyes of our Kinge, as a testimony of the Lords yett

1680-1.

1 March.  
WINSLOW,  
Gou<sup>r</sup>.  
PART I.

graciously owning of vs as his covenant people in Christ, and that God may be intreated to be a wall of fier round about vs, and our glory in the midst of this his wilderness people, and still defend our glory, and that the breaches hee hath made in any of our churches may be healed by a comfortable supply in the ministry, and that the Protestant interest may be advanced in our English nation and the world throughout; that the Kinges royall pson may be p̄served from all plotts and conspiracies of Popish adversaries, and that all the Lords people may be saued in and out of trouble, and that the kingdom of our Lord Jesus Christ may be advanced and submitted too euery where.

[\*44.]

\*Att the Court held att Plymouth the first Tusday in March, 1680<sup>2</sup>/<sub>4</sub>, vpon the petition of M<sup>r</sup> Nathaniel Thomas, Capt Benjamin Church, and Edward Gray, in the behalfe of themselues and p̄tenor purchasers of the lands att Pocasset and p̄tes adjacent, this Court haue ordered Wiltam Paybody to run the line of the freemens land, vpon which the said purchasers land aforesaid is bounded, begiining att the Great Clift Rocke, on the north side of the riuer called the Fall Riuer, or Quequechan, which rocke is aboue the path and neare the path and the said riuer where the path goeth ouer the said riuer; and from the said rocke to run west north west vntill it meets with the Fall Riuer, and soe by the Fall Riuer vntill it comes to Taunton Riuer; and from the said rocke east south east into the woods to the extent of the graunt of Court formerly made to the freemen; and that the said petitioners giue notice to the owners of the freemens land next the Fall Riuer to be p̄sent att the runing of the said line.

1681.

7 June.  
HINCKLEY,  
Gou<sup>r</sup>.

*\*Att the Court of Election held att the Towne of Plymouth, for the Jurisdiction of New Plymouth, the seauenth Day of June, Ann<sup>o</sup> Doñi 1681.*

[\*45.]

**T**HOMAS HINCKLEY, ESQ<sup>r</sup>, was elected Gou<sup>r</sup>, and sworne.

Major James Cudworth, Esq<sup>r</sup>, was elected Deputy Gou<sup>r</sup>, and sworne.

M <sup>r</sup> John Alden,	} were chosen Assistants in gou <sup>r</sup> ment, and sworne.
Major Wiltam Bradford,	
Capt John Freeman,	
M <sup>r</sup> James Browne,	
M <sup>r</sup> Daniell Smith, and	
M <sup>r</sup> Barnabas Laythorp,	

Thomas Hinckley, Esq<sup>r</sup>, Gof, and Major James Cudworth, Esq<sup>r</sup>, Deputie Gof, were chosen Comissioners for this collonie for the following yeer.

And Major Wilkam Bradford the next in nomination.

Major Bradford was chosen Treasurer for the collonie of New Plymouth, for the following yeer, and sworn.

Nathaniel Morton, Seni<sup>r</sup>, ^

1681.

7 June.  
HINCKLEY,  
Gou<sup>r</sup>.  
PART I.

The Names of the Celect Men in each Towne of this Jurisdiction.

Plymouth :

Leif Morton,  
Wilk Crow,  
Wilkam Clarke.

Duxbu<sup>r</sup> :

Benjamine Bartlett,  
Samuell Saberry,  
John Tracye.

Settuate :

Cap<sup>t</sup> Williams,  
Jeremiah Hatch,  
John Cushen.

Sandw<sup>h</sup> :

M<sup>r</sup> Edmond Freeman, Juni<sup>r</sup>,  
Wilkam Swift,  
Thomas Tupper.

Taunton :

Leif Macye,  
Wilkam Harvey,  
Walter Dean,  
John Hathwey,  
Ensigne Thomas Leanard.

Yarmouth :

Edmond Hawes,  
John Miller,  
Ensigne Thacher,  
Jeremiah Howes,  
Edward Sturgis.

Ba<sup>r</sup> :

Leif Laythorpe,  
Leif Lewis.

Ma<sup>r</sup> :

Anthony Snow,  
Ensigne Marke Eames,  
Samuell Sprague.

Reh<sup>o</sup> :

Leif Hunt,  
Ensigne Pecke,  
Gilbert Brookes.

Ea<sup>a</sup> :

Cap<sup>t</sup> Sparrow,  
Daniel Cole,  
Thomas Paine,  
Marke Snow,  
John Done.

Brid :

Deakon John Willis,  
Samuell Edson, Seni<sup>r</sup>,  
John Carey.

Da<sup>r</sup> :

John Cooke,  
John Russell, and  
Arther Hatheway.

Sw<sup>a</sup> :

Ensigne Thomas Easterbrook,  
Samuell Luther,  
Obadia Bowin.

Mi<sup>d</sup> :

John Thompson,  
M<sup>r</sup> Francis Combe,  
John Nelson.

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7 June.  
HINCKLEY,  
GOU<sup>r</sup>.  
PART I.  
[\*46.]

\*The Constables of the seuerall Townes.

Płm̄,	. . . . .	Abraham Jackson.
Dux ;,	. . . . .	Benjamin Bartlett, Juni <sup>r</sup> .
Seittū,	. . . . .	{ Thō Pincen, Benjamin Peirse.
Sand̄,	. . . . .	^ ^
Taunton,	. . . . .	{ Henry Hodgis, Esra Deane.
Yarmouth,	. . . . .	Thomas Sturgis.
Barnstā,	. . . . .	Leif̄ Allin.
Rehoḥ,	. . . . .	{ Stephen Paine. Nathaniel Chaffey.
Bridḡ,	. . . . .	Edward Vobes.
East̄,	. . . . .	John Freeman.
Swansey,	. . . . .	^ ^
Dartmouth,	. . . . .	Jonathan Delanoe.
Manamoitt,	. . . . .	John Savage.
Middlebery,	. . . . .	Ephram Tinkham, Juni <sup>r</sup> .

John Rogers, of Duxberry, tooke the oath of a Constable, to serue in the ward of Mount Hope, for this p̄sent year.

The Grand Enquest for this year.

1. †Leif̄ Peter Hunt, †	} sworne.	13. M <sup>r</sup> Alexander Standish,	} sworne.
2. Justus Eames,		14. Samuell Worden,	
3.   Shuball Smith,		15. Thomas Fallon, Juni <sup>r</sup> ,	
†Gorge Barlow, †		16. James Cobb,	
4. Francis West,		17. John Finney,	
5. Andrew Ringe,		18. Wiltam Britt,	
6. Benajah Pratt,		19. Jonathan Blisse,	
7. Thomas Wade,		20. Joshua Banges,	
8. Samuell Studson,		21. John Butterworth,	
9. Jonathan Nye,		22. Wiltam Wood,	
10. Samuell Arnold,		23. Obadiah Eedey,	
11. Joseph Wilbore,		24. Wiltam Nicarson,	
12. John Smith, Juni <sup>r</sup> ,	John Hathwey.		
John Titus, Seni <sup>r</sup> ,			
Serjeant John Carey,			



The Names of the Deputies of the seuerall Townes of this Gou'ment.

1681.

- |   |                               |
|---|-------------------------------|
| 1. Leifitē Morton,                                    | 11. Leiftenant Laythorpe,     |
| 2. Joseph Warren,                                     | 12. Ensigne Marke Eames,      |
| 3. M <sup>r</sup> Josiah Standish,                    | 13. Anthonie Snow,            |
| 4. Wilłam Paybody,                                    | 14. Ensigne Nicholas Pecke,   |
| 5. Cap <sup>t</sup> John Williams,                    | 16. Gilbert Brookes,          |
| 6. Samuell Clapp,                                     | 17. Leiftenant Haward,        |
| 7. M <sup>r</sup> Edmond Freeman, Juni <sup>r</sup> , | 18. Cap <sup>t</sup> Sparrow, |
| Ensigne Thomas Leanard,                               | 19. Thomas Paine,             |
| 8. John Hathwey,                                      | 20. Obadiah Bowin,            |
| 9. John Miller,                                       | 21. John Cooke,               |
| 10. Jeremiah Howes,                                   | 22. John Thompson.            |

7 June.  
HINCKLEY,  
GOU<sup>R</sup>.  
PART I.

\*Surveyors of the Highwayes.

[\*47.]

Plymouth :	Marshfeild :
George Bonum,	Josiah Snow,
Jonathan Shaw,	Francis Crocker.
John Bryant, Juni <sup>r</sup> ,	Bridgwater :
Ephraim Morton, Juni <sup>r</sup> .	^        ^
Duxbuř :	Eastham :
Gorge Partrich,	Thomas Freeman,
Joseph Wadsworth,	Jabez Snow.
Josiah Holmes.	Rehoboth :
Scittuate :	Thomas Cooper, Juni <sup>r</sup> ,
^        ^	Samuell Perrey.
Sandwich :	Dartmouth :
^        ^	^        ^
Taunton :	Swansey :
Thomas Harvey,	Sarjeant Hugh Cole,
Joseph Willis.	Wilłam Ingraham,
Yarmouth :	Joseph Chaffey.
^        ^	Middleberry :
Barnstable :	William Nelson,
^        ^	John Miller.

Freemen admitted this Court.

- |              |                                     |
|--------------|-------------------------------------|
| John Branch, | Samuell Arnold, Juni <sup>r</sup> , |
| John Hewett, | Seth Arnold,                        |

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HINCKLEY,  
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PART I.

John Shermon,	Edward Vobes,
Israell Holmes,	Elkanah Willis,
Justus Eames,	Nicholas Byram, Juni <sup>r</sup> ,
John Barker,	John Bryant, Juni <sup>r</sup> ,
Isacke Howland,	Josiah Holmes,
Joseph Staton,	Elkanan Cushman,
Jabez Snow,	William Howard,
Nathaniel Chaffey,	John Smith,
Samuell Robinson,	M <sup>r</sup> James Browne, Juni <sup>r</sup> ,
Francis Carey,	M <sup>r</sup> Jeremiah Child.

Freemen propounded to be admitted, if approved by the Court, the next year.

M <sup>r</sup> Noah Floyd,	Samuell Little,
Job Winslow,	John Read,
Timothy Brookes,	Samuell Thomas,
Nathaniell Lewis,	Isacke Holmes,
John Butterworth,	Josiah Snow,
John Allin,	Daniel White,
Nicholas Tanner,	Clement Kinge,
Thomas Easterbrooke,	Kanelme Baker,
Hugh Cole,	Jonathan Wilmouth,
Israell Pecke,	Nicholas Iyde,
Zacheriah Eedey,	Thomas x ley,
John Browne,	Joshua Smith,
Nathaniel Holmes,	Gorge Robinson, Juni <sup>r</sup> ,
of Plymouth,	Samuell Walker.
Jonathan Eames,	

To be propounded to be Freemen.

James Cole, of Swanesy,	Samuell Studson,
John Allin,	John Whetston, and
Daniel Allin,	Nathaniel Church, and
Joseph Kent,	William Perrey,
Caleb Eedey,	Thomas Jenkins,
Hezekiah Luther,	William Barrell,
Thomas Wood,	Nathaniel Brookes,
Thomas Studson,	Sherjashub Bourne,

Elisha Bourne,  
Shuball Smith,  
Wiltam Bassett,

John Nye,  
Jonathan Nye,  
Robert Parker.

1681.

7 June.  
HINCKLEY,  
GOU<sup>r</sup>.  
PART I.  
[\*48.]

\*The Court haue voated that the sume of forty pounds, siluer mony of New England, be allowed for and towards the expences and charges of our honored Gou<sup>r</sup>, late deceased, about his funerall, as a testimoniall of the collo-nies indeared loue and affection vnto him.

The Generall Court haue graunted vnto M<sup>r</sup> Daniell Smith, of Rehoboth, majestrate, a certaine tract of land lying beyond M<sup>r</sup> Blackstones, viz<sup>z</sup>: all that land which was layed out to Indians that liued on it, and haue bine actors in the late warr and rebellion against the English, which Indians liued att Sene-teconett; all the said tract of land is now giuen and graunted vnto the said M<sup>r</sup> Daniel Smith, be it more or lesse, to the said M<sup>r</sup> Daniell Smith, to him and his heires or assignes for euer; prouided an Indian, called Abimelech, be allowed six acres of land out of that tract, incase the Indian desire it, and M<sup>r</sup> Smith see cause to allow it.

In reference to the difference about the freemens land, lying on the east-erly side of Taunton Riuer, and concerning theire northerly bounds, the Court haue ordered, that it is bounded from Stacyes Creeke by Taunton bounds east-erly to the woods, four miles from Stacyes Creeke.

This Court graunts libertie vnto Jane Walker, widdow, of Rehoboth, to make sale of a smale psell of meddow ground, with the advice and approba-tion of M<sup>r</sup> Daniell Smith and Ensigne Pecke.

Thomas Pencen, Juni<sup>r</sup>, is by the Court freed from bearing charge as re-lateing to the society of the North Riuer.

In like manor James Doughty is freed by the Court from bearing any further charg as relateing to the society of the North Riuer.

In reference vnto an Indian named Sam, his being accused to haue fiered Ephraim Morton, Juni<sup>r</sup>, his house, the Court haue ordered that hee, the said Sam, be comitted to the inspection of Accanootus, his grand father, and that hee take his councill, and be ordered by him, and that the said Accanootus haue him in a reddines, that incase any thing appeer to giue further light in the p<sup>r</sup>mises, that hee forth coming att the Court summons.

Richard Benitt, for telling of sundry lyes, and for his laciuous and light behaiour with Deborah Woodcocke, is centanced by the Court to be publicly whipt att the post, which accordingly was p<sup>r</sup>formed; hee, the said Benitt, was likewise centanced by the Court to pay one and twenty pence a weeke, for the space of three yeers from the date heerof, for and towards the keeping of the

1681. child borne of the said Deborah, wherof shee, the said Deborah, affeirmeth that the said Richard Benitt is the father therof.

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GOU<sup>r</sup>.  
PART I.

And the said Deborah, for comitting fornication with the said Richard Benitt, is centanced by the Court to pay a fine of ten pounds.

M<sup>r</sup> John Thacher is approued and appointed by the Court to be Leiftenant of the milletary companie of Yarmouth.

Joseph Turner, of the towne of Scittuate, forasmuch as it appeered to this Court that hee serued in the office of an ensigne in the Narragansett fight against the Indians, is freed by the Court from traininge.

7 July.  
[\*49.]

*\*Att the Court of his Ma<sup>tie</sup> holden att Plymouth, for the Jurisdiction of New Plymouth, the seauenth Day of July, 1681.*

BEFORE Thomas Hinckley, Esq <sup>r</sup> , Gou <sup>r</sup> ,	John Freeman,
James Cudworth, Esq <sup>r</sup> , Deputie Gou <sup>r</sup> ,	James Browne,
John Alden,	Daniell Smith, and
Willam Bradford,	Barnabas Laythorp.

Assistants, &c.

**I**N answare vnto the desire of the comission officers of the milletary companie of Scittuate, to be freed of their offices, the Courts answare is, that they see not reason to admitt therof; but if said milletary companie there shall judge that the reasons alledged by any p̄ticular of them be of such waight as to induce said companie to free them, and p̄sent some fitt p̄son, according to order of Court, in their stead, the Court will doe what may rationally appeer to be meet in that case.

Forasmuch as there haue bine some differences lately amongst the inhabitants of the towne of Swansey, respecting the laying out of lands in that townshipe, this Court doth heerby rattify and confeirme whatsoever the former comitty haue doñ respecting the p̄mises, and haue made choise of Cap<sup>t</sup> John Browne, Leif<sup>t</sup> Willam Ingraham, Serjeant Hugh Cole, Samuell Luther, Job Winslow, and Joseph Kent, to be a comittee in the townes behalfe for the regulateing of matters in difference concerning lands alreddy layed out in that townshipe, and what defects doe or shall appeer vnto the said comittee aboue named, shalbe made vp of the lands vndevided, and for any further deuision of lands in the towne, that are to be devided, that it be don and p̄formed by

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7 July.  
HINCKLEY,  
GOU<sup>r</sup>.  
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the proprietors, they haueing liberty by this order to choose a comitte for the lawing out of land according to the three fold ranke.

M<sup>r</sup> Nathaniel Thomas, Leiff Ephraim Morton, M<sup>r</sup> Wiltam Crow, and Joseph Warren were appointed by the Court, for a comitte to take a true inventory of the estate of M<sup>r</sup> Edward Gray, of Plymouth, late deceased, and to giue meeting to our honored Gou<sup>r</sup> and Major Bradford, att such time as they shall mutually agree vpon, to settle the estate of the said Edward Gray, according to their best descretions.

M<sup>r</sup> Daniel Smith, M<sup>r</sup> Barnabas Laythorp, and Wiltam Paybody were appointed by the Court to be a comitte to proportion the rates in the seuerall townships, for leuying the publique charges of the collonie for the following yeer.

M<sup>r</sup> Daniell Smith is appointed by the Court to see the papers burned which concerned the late controuersye between M<sup>r</sup> James Browne, Joseph Keutt, there in Swansey.

In reference vnto sixteen or seauenteen bushells of Indian corne, taken from Joseph Kent, of Swansey, and improued for the releife of some souldiers, in the time of the late Indian warrs, this Court haue ordered that it, or the value therof, to be repayed by the Treasurer.

The Court sees reason that another constable be chosen by the towne of Swansey, to be aded to him alreddy chosen, and that him alreddy chosen be forthwith sworne.

The sume of fifteen pounds is allowed by the Court to Nathaniel Hall, a decriped souldier, whoe became soe by a wound receiued in the late Indian warr, the sume of fiue pound wherof to be payed forth with in mony, and the remaining ten pound in rate pay, att the fall, and all the fines that may fall in Yarmouth by selling liquor by retaile, and the said Nathaniel is heerby authorised to make inquiry after such abuses, and to make them knowne, that they be punished.

\*July, 1681. Att this Court it was ordered that Isacke, Indian majestrate att Saconett and places adjacent, doe send or cause to be sent an Indian youth named Samuell, the son of Wanwaneame, a prentece to the widdow of John Tucker, of late of Martins Viniyard, vnto Steuen Skiffe, of Sandwich, to be sent by him to said widdow; or that the said Isacke doe pay or giue sufficient securitie to pay the said widdow, or said Skiffe in her behalfe, the full sume of eight pounds in mony, four pounds the last of October next, and other four pound the first of March next, which is according to his owne proposall.

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In reference vnto the desposall of the estate of Joseph Carpenter, late of Swansey, deceased, the Court haue ordered, that M<sup>r</sup> Browne and M<sup>r</sup> Smith doe take the accompt of the estate as the widdow left it, and that then it be deuided amongst his eight children in equall and alike proportions, according to the descretion of the said M<sup>r</sup> Browne and M<sup>r</sup> Smith.

In reference and answare vnto the petition of Jarud Talbutt, of Taunton, respecting monyes due to the said Talbutt, (and as it is said the mony is in the hands of some of Taunton, that had the ordering and disposing of the charges respecting the late warr that is past with the Indians,) the men were Wiltam Harvey, James Walker, Seni<sup>r</sup>, and Wiltam Witherell.

This Court haue ordered M<sup>r</sup> Browne and M<sup>r</sup> Smith, Assistants, to call the said men to accompt of what they reserued, and how it was disposed; and if they find not their accompts to be just, then to cause them to appeer att the next Court to answare their defect, and to make returne vnto the said Court of their actings therein.

Mistris Dorothy Gray is graunted by the Court letters of adminnestration to adminnester on the estate of M<sup>r</sup> Edward Gray, late of Plymouth, deceased.

Liberty is graunted vnto Thomas Tobey, of Sandwich, to looke for accomodation, and that M<sup>r</sup> Bourne and M<sup>r</sup> Edmond Freeman assist him in it; and incase any can be found, hee is to haue fifty or threescore acres therof vpon report made to the Court.

This Court graunts liberty of adminnestration to M<sup>r</sup> Barnabas Laythorp to adminnester on the estate of John Muckroy, deceased.

In consideration of bodily infirmity of M<sup>r</sup> Joseph Pecke, Seni<sup>r</sup>, of Rehoboth, the councill of warr haue freed him from publicke training.

Timothy Rogers, of Marshfeild, in like manor, being lame and vnfit in that respect, is freed from bearing armes and training.

In reference vnto the complaint of Peter Worthylake for the non payment of the sume of ten pounds due from the estate of Thomas Bird, deceased, the Court haue ordered, that the Deputy Goff shall heare and determine the case, as to take notice of what is payed of the said ten pound and what is vnpayed, that soe course may be taken for the payment therof.

M<sup>r</sup> Samuell Saberry, of Duxberry, is appointed, allowed, and approued of by the Court to be gaurdian to Robert Marshall, son of Robert Marshall, deceased, a poor orphan left att Plymouth, his frinds many of them being deceased.

\*The Oath to be adminestred to such as are or shalbe aded to the Majestrates to be of the Councill of Warr in this Jurisdiction.

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You shall reddily appeer on any summons directed vnto you by the president of the councill of warr, att such place or places as you shall be ordered vnto by the said summons, vnles any inevitable prouidence doth or shall impead; att which meetings you shall, with respect to the good and welfare of this jurisdiction, giue your best advice and councill in all matters of importance, or soe seeming, presented to you, in reference to peace or warr; you shall not disclose or discouer any councill comitted vnto you, but shall conceale all matters that may be agitated and transacted in the said councill in reference to the p̄mises that shalbe thought meet to be concealed by the president and councill of warr. Soe heelp you God, whoe is the God of truth and the punisher of falcehood.

The Names of those that were chosen by the Court to be aded to the Majestrates to be of the Councill of Warr.

Cap̄t Nathaniel Thomas,  
 Cap̄t Josiah Standish,  
 Cap̄t Jonathan Sparrow,  
 Leiftenant Joseph Laythorpe,  
 Leiftenant Ephraim Morton,  
 Leiftenant John Thacher,  
 Ensigne Marke Eames,  
 Cornett Robert Studson,  
 Secretary Nathaniel Morton,  
 M<sup>r</sup> James Walker.

July the 7<sup>th</sup>, 1681, the Court did establish M<sup>r</sup> Nathaniel Thomas to be cap̄t of the milletary of Marshfeild, and Isacke Little leif̄, and Wiltam Foard ensigne of the said companie.

This Court doth order, that Mannamoyett and Middleberry, each of them, doe make choise of a fitt man to exorcise their men in armes, and to see their men well prouided with fixed armes and am̄unition for their respectiue places, and to p̄sent to the next Court for aprobatation.

Likwise, Saconessett is ordered by the Court twice in the yeer to repaire to Barnstable to traine there, and are put vnder the guidance and inspection of the comission officers of their milletary companie with respect to milletary occations.

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\*The Goff and Deputie Goff are appointed as a comittee to review and settle the lawes of this jurisdiction, and haue heerby libertie to make choise of a third to be healpful therin, if they see cause, and the Treasurē to provide accomodation for them att Plymouth.

To all Christian People to whom these p̄sents shall come, John Wyburne, of Boston, in the Massachusetts collonie, in New England, marriner, sendeth greeting.

Know yee, that wheras Samuell Clapp, Thomas Kinge, Theophilus Witherell, of Scittuate, Ephraim Little, of Marshfeild, and John Rogers, of the same towne, and all of Plymouth collonie, in New England, p̄tenors of the good barque called the Adventure, of burden about forty tun, now being or residing in the North Riuier, haue lett to hier the said barque for a voyage to the West Indiaes or elsewhere, being a dangerous ^ by reason of hira-caues and otherwayes, without legall notice giuen to the said Wyburne or his consent to the said voyage, said Wyburne being an eight p̄te owner of the said barque, the vessell being lett since the begiñing of May last past before the date heerof, and said Wyburne neuer haueing deliuered vp possession of her, as hee was master of the said barque; yett notwithstanding another man is put in for master by what is aboue written, and many other illegall actions of the p̄ties aboue named, the said Wyburne is damnified to a considerable value; these are, therefore, vpon the former considerations and many other reasons that may appeer, to certify and declare, that the said Wyburne do by these p̄sents protest against Samuell Clapp, Thomas Kinge, Theophilus Witherell, Ephram Little, and John Rogers, Seni<sup>r</sup>, all their illegall actions and acting concerning the p̄mises, wherby the said Wyburne is allreddy or may heerafter be damnif<sup>d</sup>, by letting the said vessell, without Wyburnes consent, and other actions illegally don by them, as may appeer; and alsoe I doe protest against Roger Yeling, the p̄tended master of said barque, for carrying away the said barque without Wyburnes consent, and other p̄son and p̄sons that concerns themselues in the voyage, wherby the said Wyburne may be damnified; for confeirmation wherof I haue heervnto sett my hand.

JOHN WYBURNE.

The 8<sup>th</sup> of June, 1681.

‡Richard Benitt, for light behauiour, telling of lyes, and laciuous cariages with Deborah Woodcocke, of Rehoboth, is centanced by the Court to be publickly whipt, and to pay twenty pence a weeke towards the keeping of



the child borne of the said Deborah, wherof shee affirmed the said Benitt is the father.‡

Simon Rouse is allowed by the Court to keep an house of entertainment att Saconett for strangers and trauellers, and that hee be provided with prouisions and nessesaryes for that end and purpose; and likewise hee is to keep good orders in his house, that noe damage or just blame befall him by his neglegence.

\*Wheras in the settlement of the estate of John Daman, deceased, the Court ordered the widdow to haue the thirds of the lands and one end of the dwelling house, one third of the celler, and one third of the barne, to be possessed, improued, and injoyed by her during her widdowhood; and when shee changed her condition by marriage, shee was to leaue her house and land, and to haue the thirds of the proffitts therof, and thence forwards the possession and improuement therof to be in the eldest sonnes hands, viz<sup>d</sup>, Daniel Daman, which hee hath now in improuement, and is reddey to make payment due for the improument; but the Court omitting in their former order respecting the p̄mises to settle the time and place of payment, this Court now orders, that payment therof shalbe made on the second day of March annually, and to be deliuered on the land where the rent is raised.

Wheras the Court is informed, that there is great need of a more direct way from Mount Hope to Boston, and a more convenient way is found out, the Court haue giuen libertie to Cap<sup>t</sup> Church and any others of the propriators of Mount Hope to cutt and cleare, or to cause the cutting and clearing of, the said way soe farr as our collonie extends; and incase that for the more directnes of the said way there wilbe a nessesitie to cause it to goe through some p̄ticulare mens proprietes of lands, that then a jury be impaneled by the next majestrates to lay out and settle the said way, and to returne what they haue don to the Court to be recorded.

Joseph Kent and Caleb Lumbert are approued of by the Court to be gaurdians to Joseph Cahoon.

These orders following ordered by the Court to be recorded, as followeth:—

To the Cheife Marshall of the Jurisdiction of New Plymouth, gree<sup>t</sup>, &c.

These are, in his mat<sup>ties</sup> name, to will and comāund you, p̄sently on receipt heerof, to repaire to Barnstable, and to arest the estate of Nicholas Dauis, somtimes of Barnstable, late of Rhode Iland, deceased, to satisfy vnto M<sup>r</sup> Peter Serjeant the so<sup>m</sup>e of four hundred and ninetey pounds in currant siluer mony of New England, and the cost of the suite, being six and twenty

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shillings and sixpence, and the charges of this execution, wherof the said estate is convict in due course of law, retaining soe much as will satisfy the said sume, with the cost and charges aforesaid, rendering againe the ouplusse.

P JOSIAH WINSLOW, Gov<sup>r</sup>.

Dated the 30<sup>th</sup> of October, 1673.

I, Samuell Nash, cheiffe marshall of the collonie of New Plymouth, this 23 of February, 1673, haue arested the estate of the said Nicholas DAVIS, deceased, that is to say, the house and land now in the posession of Gorge Danson, in which land is included the land and meddow of the said DAVIS, bought of the Lumberts, as p<sup>te</sup> of what was occupied by the said Danson, as alsoe the house and land in the occupation of James Doughten, reserueing the vse and proffitt of the house and land in occupation of the said Horton to the relict of the said DAVIS, according to order of Court; all which housing and land aforesaid, and all appurtenances and priviledges therto belonging, being apprised by Joseph Laythorp att an hundred and ninety pounds in mony towards the satisfying of the within mensioned execution, and for which sume I deliuer possession of the housing and lands aforesaid, by vertue of authoritie giuen vnto M<sup>r</sup> John Walley, attorney to M<sup>r</sup> Peter Sarjeant, off Boston.

By mee, SAMUELL NASH, Marshall.

[\*54.]

\*This Court graunted vnto Cap<sup>t</sup> Jonathan Sparrow a certaine iland lying neare Mattapoisett, called Sparrows Iland.

This Court graunted vnto John Cooper, of Barnstable, threescore acres of land out of the land that was Mamamewetts or Tatamonuckes, att or about Saconett, if it be there to be had.

This Court haue graunted vnto M<sup>r</sup> John Done, of Eastham, threescore acres of land out of the aforesaid lands of Mamamewed or Takamanuckes, if it be there to be had.

Threescore acres of land is graunted by the Court to Cap<sup>t</sup> Josiah Standish lying about Saconett, if it may be had after those graunts there are layed out, and to be layed out by those which are appointed to lay out the other graunts there.

In answere vnto the generallitie of the purchasers of the North Purchase, soe called, att Taunton, their desire to haue M<sup>r</sup> Shoue inserted as a propriator of the said North Purchase, and his name intered in the deed amongst the said purchasers, owneing that hee hath a right amongst them therin, the Court declares, that they desire that all the said purchassers doe assemble together, and that publicke notice be giuen, that if any one hath any thinge to say or

to object against M<sup>r</sup> Gorge Shoue, why hee may not be owned, accepted, and his name entered amongst the propriators of the North Purchase, att Taunton, soe called, these are to giue notice to them that they are to appeer att the next Court to be holden att Plymouth the last Tusday in October next, to giue their reasons, if they haue any against; which if they shall neglect, the Court w<sup>ill</sup> then see reason to enter his name, or cause it to be entered, in the deeds with the names with the propriators of the North Purchase att Taunton.

This Court haue and doe by these p<sup>re</sup>sents graunt, that all those tract and tracts of land, both vpland and meddows, which is purchased att Agawaam, vnto those of the inhabitants of the towne of Plymouth whoe purchased the same, to them and their heires for euer.

This Court doth reverse their acte made att June Court last in reference to the towne of Taunton their maintainance of John Harmon for the future, and leaue the issue therof vnto legall tryall att the Court of his ma<sup>tie</sup> to be holden att Plymouth the last Tusday in October next, and in the meane time to be entertained att Taunton.

In reference vnto Hannah Linnett her light behaiour with Joseph Randall att Barnstable, the Court haue ordered, that shee appeer before M<sup>r</sup> Barnabas Laythorp, to whom the case is refered, that incase shee pay, or cause to be payed, the su<sup>m</sup>e of twenty f<sup>ive</sup> shillings, then shee is to be freed, or otherwise to be whipt.

\*Wheras seuerall of the ancient inhabitants of the towne of Sandwich, called Quakers, exhibited a petition vnto this Generall Court by the hands of Wiltam Newland, this Court graunts liberty that such of them as haue bin ancient inhabitants, and haue expended monies in purchasing of those lands lying within their townships, shall haue libertie to voate in the disposall of such lands, and shall haue libertie to voate for the choise of rators, and shalbe capeable of making of rates, if legally chosen ther<sup>vnto</sup> by the towne and p<sup>er</sup>sons aforesaid, soe long as they carry ciuilly and not abuse their libertie.

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To the Celect Men of the Towne of Marshfield.

Wheras you gaue John Bryant, of Scit<sup>t</sup>uat, an execution vpon Robert Standford as the effect of a product of a tryall in your Celect Court; and wee judge the execution was defectiue, and therefore this Court doeth order you to posse the said John Bryant, Seni<sup>r</sup>, with another execution according to forme of law, that soe hee may be in a way to recouer of Robert Standford what was awarded him by your Celect Court. Wherof faile not.

This Court graunts that the deuiding line between the township of Sand-

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wich and Saconeesett shalbe att a place cōmonly called Hopes Springe, a little to the southward of Pocassett Necke, and thence easterly by a straight, square line into the woods, being Saconeesett northerly bounds, and the easterly bounds of the *of the* Christian Indians lands, and those within the said bounds lyable to doe such duty att Saconeesett as is requisitt to be pformed for the good of that society there.

It is alsoe ordered and heerby graunted, that the people and society of said Sakonessett doe sett apart about thirty acres of vpland and a proportionable p̄sell of meddow thervnto as may be suitable for the healp and incurragement of such fitt p̄sons as doth or may be healpfull to them in teaching the word of God amongst them, and to lye p̄petually for such an end successiuely.

Att this Court, M<sup>r</sup> Nathaniel Thomas tooke an oath as followeth : —

Nathaniel Thomas, you haueing bin chosen clarke by the propriators of Pocassett and Punckateesett land, you shall truely and faithfully record and keep all such records and writings concerning the said propriators lands att all the said places as are or shalbe cōmitted to you for that end, and such actes and orders as by the said propriators are or shalbe made touching or concerning the same, vntill a new ̄ be chosen & sworn in youer stead

The oath of M<sup>r</sup> Nathaniel Thomas, aged about thirty seauen yeers, taken before mee,

JAMES CUDWORTH, Deputy, &c.

28 October.  
[\*57.]

*\*Att the Court of his Ma<sup>tie</sup> held att Plymouth the 28<sup>th</sup> of October, 1681.*

BEFORE Thomas Hinckley, Esq̄, Gov<sup>r</sup>, and  
John Alden,  
John Freeman,  
Willam Bradford,

James Browne,  
Daniell Smith, and  
Barnabas Laythorp,

Assistants, &c.

**W**HERAS it did appeer to the Court holden att Plymouth in July, 1681, that M<sup>r</sup> Gorge Shoue, of Taunton, had an interest in a tract of land att Taunton, the North Purchase; and althō, by what ouer sight soeuer, his

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name was left out of the deed of the said land, the generallyty of the said propriators doe owne the said M<sup>r</sup> Shoue to haue an interest with themselves, and did petition to the Court that his name might be inserted in the said deed, and diuers testimonies did appeer wherby it was euident to the Court that M<sup>r</sup> Shoue ought to haue his name entered in the said deed, and therefore directed an order to the clarke of the said propriators to call them together, and giue them notice, that if they had any thinge to object against M<sup>r</sup> Shoue why his name should not be entered in the said deed, that they appeer att this p<sup>r</sup>sent Court to render their reasons, if they hade any, otherwise the Court would see cause to enter or affix his name to the same deed, which the said clarke attests hee hath don; and wheras notwithstanding none doe appeer to oppose or object why M<sup>r</sup> Shoue should not haue his name entered, and the deed not being att Court, the Court doth heerby order the clarke of the said propriators to giue notice to the said propriators that hee is ordered by the Court to produce the deed of the said tract of land the next Court, which wilbe in March, 1682, that then the Secretary may enter M<sup>r</sup> Shoues name, or affix it to the said deed, vnlesse any of the said propriators then shew reason to the contrary.

¶None of the propriators of Taunton interested in the North Purchase appeering to present their reasons against the affixing of the name of M<sup>r</sup> Gorge Shoue as propriators to the deed of sale, this Court hath ordered, that the said Gorge Shoues name be affixed to the said deed in the marjeant therof, & that both in the originall deed and Court record therof.

This ordered & entered March, 1681-82.¶

This Court doeth graunt libertie vnto Jonathan Bosworth, Seni<sup>r</sup>, and Samuell Pecke, adminuestrators of the estate of Nathaniel Pecke, deceased, to make sale of a smale p<sup>r</sup>sell of salt marsh, being the fourth p<sup>r</sup>te of a ten acree lott lying att Papasquash, or Mount Hope Necke, for the vse and benefitt of the children of the aforsaid Nathaniel Pecke.

This Court graunts libertie vnto Rise Leanard to make sale of eight acres of land to pay some arrearages yett due for charge expended towards the late Indian warr, because the psonall estate of said Leanard was soe smale that there was nothing extant but land to pay it.

This Court haue ordered Major Bradford, Wiltam Paybody, and Joseph Warren to run the line betwixt the lands of Saconett and Puncateesett to Dartmouth bounds, and to lay out Tatamunuckles thousand acres of land, and to make distribution therof vnto those to whom the Court haue graunted it, and alsoe that tract of land that the country are to haue from Mamanuitt.

¶This was ordered by the Generall Court July, 1681.¶

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In reference vnto the controversy between the townes Plymouth and Taunton about John Harmon, the Court haue ordered, that hee be kept by the said townes of Plymouth and Taunton vntill the next March Court, by the one towne the one halfe of the time, and by the other towne the other halfe of the time; and then the agents of each towne appeer to make their plea to the case. And this Court further ordereth, that vntill Plymouth or Taunton doe fech him from Robert Ransoms, both the said townes shall allow to said Ransom three shillings p weeke for his diett, & washing, and lodginge, to be payed their equall ptes therof.

[\*58.]

\*Att this Court, Thomas Saddeler was arraigned for buggery with a mare. The forme of his inditement is as followeth:—

Thomas Saddeler, thou art indited by the name of Thomas Saddeler, of Portsmouth, on Road Iland, in the jurisdiction of Providence Plantations, in New England, in America, labourer, for that thou, haucing not the feare of God before, nor carrying with thee the dignity of humane nature, but being seduced by the instigation of the diuill, on the third of September in this p̄sent year, 1681, by force and armes, att Mount Hope, in the jurisdiction of New Plymouth, a certaine mare of a blackish couller then and there being in a certaine obscure and woodey place, on Mount Hope aforesaid, neare the ferrey, then and there thou didest tye her head vnto a bush, and then and there, wickedly and most abominably, against thy humane nature, with the same mare then and there being feloniously and carnally didest attempt, and the detestable sin of buggery then and there feloniously thou didest com̄itt and doe, to the great dishonor and contempt of Almighty God and of all mankind, and against the peace of our soū lord the Kinge, his crowne, and dignity, and against the lawes of God, his ma<sup>tie</sup>, and this jurisdiction.

This bill was com̄itted to the judgment of the grand enquest; and their verdict indorsed thereon returned was, Billa verra.

And the said Saddeler was required to answere whether guilty or not guilty; vnto which hee answered, Not guilty, and desired to be tryed by his equals; and soe a jury of 12 men was impaneled, according to law, whose names followeth:—

sworn,	{	John Bourne, John Thacher, Leiftenant Jonathan Alden, Ensigne Thō Leanard, John Hathwey,	}	sworne,	{	Encrease Robinson, Gershom Hall, Jabez Lumbert, John Blackwell, Joseph Dunham, Thomas Wade.
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The verdict of the jury as followeth :—

Wee find him guilty of vile, abominable, and p̄sumtuos attempts to buggery with a mare in the highest nature.

And thefore the Court haue centanced him, the said Thomas Saddeler, to be seuerly whipt att the post, and to sitt on the galloss with a rope about his necke during the pleasure of the Court, and to be branded in the forehead with a Roman P to signify his abominable pollution, and soe to depart this gou<sup>r</sup>ment ; all which was p̄formed in the p̄ticulars.

\*Swansey, August 19, 1681.

The deposition of John Clarke, aged about 30 yeers, and alsoe of Robert Hilliard, aged about 30 yeers, both of them, witnesseth and saith, that wheras they, with two more, viz<sup>z</sup>, M<sup>r</sup> Gorge May and Timothy Venor, being bound from Matapoissett to Assonett, where Wiltam Makepeace dwelt, as wee were going ouer, the canooe proueing very leakey, and the wind riseing caused a great sea, in soe much that the canooe began to fill, soe that Wiltam Makepeace jumpt out of the canooe, with an intent to swim ashore ; and wee with Gods mercye, hanged on both ends of the canooe, and escaped, and gott to the shore, where wee gott some refreshment att Hugh Coles house ; and after wee were a little refreshed, wee went to looke along the shore to see whether wee could find our hatts or any other of our things, but wee, seeing Wiltam Makepeace floteing dead on the flates, thought it a point of humanity for to gett the said Makepeace to the shore, whervnto wee did him, and aboue high water marke, and soe left him ; and further saith not.

The aboue written John Clarke and Robert Hilliard made oath to the aboue written testimony, the day and yeer aboue written, before mee.

JAMES BROWNE, Assistant.

Swansey, the 19<sup>th</sup> of August, 1681.

A jury impanelled for the viewing of the corpes of Wiltam Makepeace ; and wee, the said jury, haueing dilligently serched him, can not find either wound or bruise about him ; but, according to the best of our vnderstanding, wee find the cause of his death was by drowning.

The Names of the Jury.

sworn,	{	Obadiah Bowin, Thomas Eastabrooke, Cornelious Edwards, Samuell Luther, Job Winslow, Zacheriah Eedey,	}	sworn,	{	Hugh Cole, Joshua Lambert, Caleb Eedey, John Wheten, John Cole, James Cole.	}
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[59.]

1681.

Swansey, the 21 of August, 1681.

28 October.  
HINCKLEY,  
GOU<sup>r</sup>.  
PART I.

A jury being impanelled for the viewing of the corpses of M<sup>r</sup> Gorge May and Timothy Venor, their verdict is as followeth:—

Wee found these two men below high water marke, and, according to our best vnderstanding, their death was by drowning.

The Names of the Jury or Corronors Enquest.

sworn,	{ Obadiah Bowin, foreman, Thomas Eastabrooke, Samuell Luther, Seni <sup>r</sup> , Zacheriah Eedey, Seni <sup>r</sup> , John Wheaton, Joshua Lumbert,	} sworn,	{ Job Winslow, Jarett Ingraham, John Cole, Hugh Cole, Juni <sup>r</sup> , Cornelious Edwards, Jarett Bourne, Juni <sup>r</sup> .
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[\*60.] \*I, the deponant, doe testify, that I was present at Plymouth with M<sup>r</sup> Edward Gray, now deceased, and Gorge Watson, of said Plymouth, and heard them bargain and agree about an exchange of land as followeth, viz<sup>s</sup>: that the said Gray should haue a whole share of land off the said Watsons, which hee had at Puncateesett; and in consideration thereof and somewhat to boot, the said Watson should haue halfe a share of land which the said Gray had at Sepecan.

The oath of M<sup>r</sup> Nathaniel Thomas, taken in the Court held at Plymouth the 28<sup>th</sup> of October, 1681.

As attesteth NATHANIEL MORTON, Secretary.

Mistris Dorethy Gray, the wife of M<sup>r</sup> Edward Gray, deceased, owned before the Court that shee oftens heard her husband owne the same which is aboue written.

Gorge Watson owned before the Court the same which is aboue written respecting the change of land with M<sup>r</sup> Gray.

I, the deponant, doe testify, that M<sup>r</sup> Edward Gray, in his life time, told mee seuerall times that hee and Walter Hatch had made an exchange of land, viz<sup>s</sup>, that the said Gray had exchanged one halfe share of land at Sepecan, which was his, the said Grayes, for one whole share of land which the said Walter had at Puncateesett.

M<sup>r</sup> Nathaniel Thomas made oath to the testimony aboue written, in the Court held at Plymouth the 28<sup>th</sup> of October, 1681.

Attested by NATHANIEL MORTON, Secretary.



Mr John Cotton, aged 41 yeers, testifyeth and saith, that some time this last yeer, Mr Edward Gray, late deceased, and Walter Hatch, were att Plymouth, and Mr Arnold and myselfe were in companie with them; att which time the said Edward Gray and Walter Hatch declared, in our hearing, that they had agreed to make an exchange of lands, namly, the said Gray said to the said Hatch, all that his halfe share of lands which hee had att Sepecan, with all priuiledges and appurtenances thervnto belonging, for and in consideration of a share of land att Punckateesett, which the said Hatch had there, and sold to the said Gray, and three pounds in siluer mony which the said Hatch att the same time deliuered to the said Gray; vpon it was a full concluded bargaine betwixt them, that Mr Grayes halfe share of land att Sepecan was now Walter Hatches, and the said Walter Hatch his share of land att Punckateest was now become Edward Grayes.

1681.

28 October.  
HINCKLEY,  
GOU<sup>r</sup>.  
PART I.

JOHN COTTON.

Walter Hatch owned before the Court the change of land aboue written.

Mistris Dorethy Gray said before the Court, that shee hath often heard her husband, Mr Edward Gray, owne the change of the land abouesaid.

Att this Court, Joseph Dotey came into the Court, and owned before the Court that hee sold halfe a share of land att Mattapoisset to Mr Edward Gray, and that hee receiued full satisfaction for it.

\*Att the request of Cap<sup>t</sup> John Walley, Mr Nathaniel Byfeild, Mr Nathaniel Olliuer, and Mr Stephen Burton, purchassers of the lands on Mount Hope, it is by this Court graunted, that together with such as they haue admitted inhabitants, or shall heerafter orderly admitt, shall from this time be a towne, and injoy all such liberties and haue all such power in all respects as is allowed to any other towne of this jurisdiction, and doe order the said grant to be recorded, and the towne to be called by the name of Bristoll.

[\*61.]

An Order directed to Joseph Church, of Saconett, as followeth.

Wheras the Court are enformed that youer neighborhood is destitute of leading men either to call a meeting, or otherwise to acte in youer publicke conernes, this Court impowers you, the aboue named Joseph Church, to call youer neighborhood att Saconett together in conuenient time, to make such nessesary and wholsome orders as may be for youer coimon good & peace, and to choose and present some fit pson or psons to informe the Court of the p'sent state and condition of the said neighborhood respecting the p'mises to the Court of his ma<sup>tie</sup> to be holden att Plymouth aforsaid in June next, and that they choose and send fitt psons to the said Court to serue in the offices of constable and grandjurymen.

1681.

28 October.  
HINCKLEY,  
Gov<sup>r</sup>.  
PART I.

Libertie is graunted by the Court vnto Liffenant Jabez Howland to keep an house of entertainment att Bristoll, allies Mount Hope, to draw and sell wine, beer, stronge liquors, cyder, &c, and to be prouided with lodging and other prouisions for the entertainment of strangers and trauellers, and that hee carfull to keep good orders in his house, that hee incurr noe just blam by his negligence in that behalfe.

Libertie is likewise graunted by the Court vnto John Rogers to keep a victualling house att Bristoll, allies Mount Hope, and to draw and sell syder and beer, and to keep good orders in his house, that noe just complaint come against him for his negligence in that behalfe, and that hee be likewise prouided with beding to lodge trauellers and strangers as occation may require.

Forasmuch as the towne of Rehoboth, as it plainly appereth to the Court, hath sustained much wronge respecting the deuision of the mony due to the said towne of that which was due to the country for as pte of the prise of Mount Hope, in that the said towne of Rehoboth wanted neare then twenty pounds of theire proportion of the said mony, this Court engaged and ordered, that vpon the next deuision of the said mony, it shalbe made vp out of it or out of the treasury of the collonie.

In reference to the dispose of the corne of all sorts appertaining to the estate of M<sup>r</sup> Edward Gray, deceased, the Court haue ordered, that two ptes of three, or two thirds thereof, be disposed to the widdow and those children the said M<sup>r</sup> Gray had by her, and the remaining third pte thereof to those children said M<sup>r</sup> Gray had before hee married her.

[\*63.]

\*It was agreed by this Court, that an order shalbe sent to the towne clarke of Scittuate in reference vnto a snale peece of swampe in the township of Scittuate, which is accompted to belong vnto old Thomas Hieland, of Scittuate, although & for as much as hee hath noe record for it; that the said towne clarke doe put it vpon record in the towne booke of Scittuate, to be and belonge to him, the said Thomas Hieland, to him and heires for euer, to the onely proper vse and behoofe of him, the said Thomas Hieland, hee, his heires, and assignes for euer; it being apparent to the Court, by diuers testimonies of Major Cudworthes and sundery others, that the said swampe is the vndoubted right of him, the said Thomas Hieland, and is bounded naturally by diuers hills surrounding it.

Phillip Pointing, of Taunton, yeoman, being detected of drunkenes, and this appeers to the Court to be the third time, is centancē by the Court to be bound to his good behaiour as followeth:—

Phillip Pointing, of Taunton, yeoman, acknowledgeth } 11 s d  
to owe vnto our sofi lord the Kinge the sume of. } 10 : 00 : 00

1681.

28 October.  
HINCKLEY,  
GOU<sup>th</sup>.  
PART I.

The condition, that if the said Phillip Pointing be off good behaiour towards our soū lord the Kinge and all his leich people, and appeer att the Court of his ma<sup>tie</sup> to be holden att Plymouth the first Tusday in March next, and not depart the said Court without lycence; that then, &c. [Released.]

Silas Saares is approued and appointed by the Court to be ensigne bearer of the milletary companie of Yarmouth.

In reference vnto the estate of Wiltam Makepeace, deceased, the Court haue ordered, that the eldest son shall haue a double p<sup>rt</sup>ion of the land and other estate, prouided the widdow haue the vse of the land and intire estate vntill the children come of age, and the vse of the thirds of the land and other estate during her life; and the remainder of the said estate, both land and other estate, to be equally deuided amongst the other children in equall and alike proportions.

This Court haue considered the petition of the propriators of Conahassett land, which made theire addresse to the Court for releiffe last March, in referrence to the equall deuideing of the said Conahassett land, the Court then advised them to come to an equall deuision of the vndeuided land of Conahassett before the leaues come forth; but vnderstanding that the advice is not attended vnto as to the accomplishment of the said deuision, doe require the propriators to meet together as speedily as may be, and make an equall deuision of all the vndeuided lands of Conahassett according to each p<sup>sons</sup> purchase.

\*To the Cheife Marshall of the Jurisdiction of New Plymouth, or his Deputie, greē, &c. [\*64.]

These are, in his ma<sup>ties</sup> name, to comāund you, on sight heerof, to repaire to Taunton, and ymediately to arrest the lands and all other estate appertaining to M<sup>r</sup> John Paine, deceased, now in the hands of M<sup>r</sup> Encrease Robinson as adminnestrator of the estate of the said Paine, to satisfy as farr as it will extend the sume of one hundred and two pound eight shilling and eight pence, and the cost of the suite, which amounts to one pound nine shillings and six pence, and the charge of this execution, due vnto mee, Richard Thayer, wherof the said John Paine in convicted in due course of law.

P me, JAMES CUDWORTH, Assistant.

Dated att Plymouth, the 9<sup>th</sup> of July, 1680.

I, Samuell Nash, doe constitute Thomas Wiltams, constable of Taunton, to be my true and lawfull deputie to acte in euery p<sup>te</sup> of the aboue written p<sup>mises</sup> according to the tenure therof, as witnes my hand.

SAMUELL NASH, Marshall.

1681.

28 October.  
HINCKLEY,  
GOU<sup>th</sup>.  
PART I.

This within written execution or arrest was leuied vpon the estate of M<sup>r</sup> John Paine, of Boston, deceased, and the estate seized vpon and deliuered to M<sup>r</sup> Richard Thayer, according to the contents within written; the said estate, now seased and taken out of the hands of the adminnestrator, Encrease Robinson, and deliuered to the said Thayer, is as followeth: that is to say, two shares and an halfe in the iron worke, and with all iron due to the share, and one purchase right, with rights to all deuisions, all which said estate is seized and deliuered to the said Thayer; the lands deliuered by turffe and twigg, the shares in the iron worke by deliuey of one of the vtensills of the said worke into the hand of the said Thayer; all which estate is seized and deliuered to the said Thayer according to the within written comāund, onely excepting one pound fourteen shillings, the adminnestrator, Encrease Robinson, rest in his owne hand, by order of Court, to satisfy himselfe for his charge about the said estate, which was to be done before execution by Court order; all which said estate of said Paines was seized and deliuered to the said Thayer by mee, Thomas Willams, constable and cheift marshalls deputie, the 10<sup>th</sup> of July, 1681. 11 s d

The sume of the estate, as appears by inventory, is . 75 : 01 : 06

The adminnestrators due is . . . . . 01 : 14 : 00

M<sup>r</sup> Thayers cost of Court, . . . . . 01 : 09 : 06

The execution, . . . . . 00 : 01 : 06

The marshalls makeing a deputie, . . . . . 00 : 01 : 00

The serueing of the execution, . . . . . 00 : 02 : 06

All which charge amounts . . . . . 03 : 08 : 06

Taken out of 75<sup>11</sup> 01<sup>s</sup> 06<sup>d</sup>, there remaines . . . . . 71 : 12 : 00

of the said estate; the which hath satisfied the said Thayer as farr as it doth amount, as witnesseth my hand.

THOMAS WILLAMS, Marshalls Deputy.

This 10<sup>th</sup> of July, 1680.

1681-2. \**At the Court of his Ma<sup>tie</sup> held at Plymouth, for the Jurisdiction of New Plymouth, the seauenth Day of March, 1681.*

7 March.

[\*65.]

BEFORE Willam Bradford,

John Freeman,

James Browne, and

Barnabas Laythorp,

Assistants, &c.

**A**TT this Court, John Sherman, of Marshfield, and Israell Holmes, appeared in reference vnto the disposall of the estate of Willam Sherman, Jun<sup>r</sup>, deceased, the said Israell Holmes haucing married Desire Sherman,

sooftimes the wife of the aforesaid Wilſam Sherman. The Court, haueing heard the plea and diſcourſes concerning the ſame, haue ſettled the pſonall eſtate vnto the ſaid Iſraell Holmes, his heires, executors, and adminneſtrators, provided hee, his heires, executors, or adminneſtrators doe bringe vp the children of the ſaid Wilſam Sherman well vntill they come of age, and that hee, his heires, executors, or adminneſtrators, doe pay, or cauſe to be payed, the ſumme of fifteen pounds in ſpecue when they come of age, as is expreſſed in an obligation vnder hand and ſeale of the ſaid Iſraell Holmes, bearing date with theſe pſents.

In reference to the Cape mony, the Court haue ordered twelue pounds therof to Rehoboth ſcoole, and eight pound therof to M<sup>r</sup> Ichabod Wiſwalls ſcoole att Duxburrow, and twenty ſhillings to M<sup>r</sup> Thomas for his paines and care about it, and the remaining nine pounds to reſt in the Treasurers hand vntill the Court ſees cauſe to diſpoſe of it.

Major Bradford appointed by the Court to take oathes for the truth of M<sup>r</sup> Wilſam Britts inventory of his eſtate.

Letters of adminneſtration is graunted vnto Serjeant John Carey to adminneſter on the eſtate of John Carey, Sen<sup>r</sup>, deceased.

Receiued by M<sup>r</sup> Daniell Smith of the Treasurer twelue pounds in ſiluer mony of New England, of the Cape mony, to be employed for and towards the maintainance and keeping of a gra<sup>m</sup>er ſcoole att Rehoboth.

In reference to the remainder of the pſonall eſtate of Edward Gray, deceased, which is yett vndevided, the Court haue ordered, that one hundred and fifty pounds of the beſt of the eſtate be kept by his executrix in her hand for the payment of debts & bringing vp of the children, and not to be diuided vntill the Court ſhall otherwiſe order.

It is ordered by the Court, that Sam Bab and John Mohauke, two Indians ſoe named, that are now convicted of fellowiſly takeing the eſtate from John Williams, of Scittuate, and charges ariſeing thervpon, are by the ſaid Court ordered to ſerue the ſaid John Wilſams or his aſſignes the full time of four monthes, each of them, in ſatiſfaction, as aboue ſaid, and then to depart from Scittuate, and not to reſide there.

Josiah Palmer, for ſpeaking contemptuouſly of the word of God and of the minneſtry, is fined twenty ſhillings ſiluer mony.

Wilſam Nelson, for ſelling liquor to the Indians, is fined five pounds.

Wilſam Parker, of Scittuate, being convicted of the breach of the law of this collonie in ſelling liquor to the Indians, is fined five pounds. This was witneſſed by Felix, the Indian.

In reference vnto the wrong don by Felix, the Indian, vnto Short Toms

1681-2.

7 March.  
HINCKLEY,  
GOV<sup>R</sup>.  
PART I.

1681-2. child, the Court orders the said Felix to pay vnto the said Short Tom the sume of thirtie shillings.

7 March.  
HINCKLEY,  
GOU<sup>r</sup>.  
PART I.

Leiftenant Robert Barker, in behalfe of his mother, the wife of Robert Barker, Seni<sup>r</sup>, is fined 2<sup>l</sup> 10<sup>s</sup> for that his said mother sold syder to the Indians, contrary to the law of this gou<sup>r</sup>ment.

[\*66.] \*John Andrewes, of Plymouth, acknowledgeth to owe vnto our so<sup>l</sup> lord the Kinge the sume of twenty pounds.

The condition, that if the said John Andrewes be of good behavior towards our S: lord the Kinge and all his leich people, and beware of drunkenes, and take heed and beware of lycenciousnes in that kind in which hee hath bin very frequent, and for which abusie carri<sup>g</sup>s hee now giues bond, and alsoe that hee, the said John Andrews, doe psonally appeer att the Court of his ma<sup>tie</sup> to be holden att Plymouth the first Thursday in June next, and not depart the said Court without lycence; that then, &c.

Thomas Man, of Rehoboth, fined ten shillings for Sabbath breaking.

#### An Inditement.

Indian James, thou art heer indited by the name of James, for that thou, haueing not the feare of God before thyne eyes, on the one and twentyeth day of Nouember, 1681, in the towne of Barnstable, didest feloniously, willfully, and of mallice forethought, with intent to murder, kicke Samu<sup>e</sup>ll Crocker, son of Wil<sup>l</sup>am Crocker, of Barnstable, on the bottome of his belley, wherof the said Samu<sup>e</sup>ll Crocker three weekes after died; which thou hast don contrary to the law of God, of England, and this collonie, and contrary to the peace of our so<sup>l</sup> lord the Kinge, his crowne and dignity.

The jury find the p<sup>r</sup>sener nott guilty of wilfull murder.

#### The Names of the Jury.

sworne,	{	John Richmond,	}	sworn.	{	Joseph Warren,
		John Tracye,				John Hathwey,
		Wil <sup>l</sup> am Foard,				Anthony Eames,
		Thomas Faunce,				Jonathan Morey,
		Mellatiah Laythorp,				Jacob Burge,
John Nye,	Mordecaj Ellice.					

Samu<sup>e</sup>ll Dunham, Seni<sup>r</sup>, of Plymouth, for being much ouertaken with drinke, is fined fve shillings.

Memorand: that M<sup>r</sup> Samu<sup>e</sup>ll Edson, of Brid<sup>g</sup>water, is allowed, and approved, and authorised by the Court to be gaurdian to Joseph Carey.

[The following paragraph is in an unknown handwriting.]

\*Wee, whose names are under written, being ordered by the Court, October, 1681, to run the line between y<sup>e</sup> lands of Saconet and the lands of Pocassit proprietors, have done as followeth: We began on the westerly end or side of a great spruce swamp, at a white oak tree marked formerly by men appointed there unto, and caryed it on the same point of compas east northerly through the said swamp, and marked a white oak tree on y<sup>e</sup> east end or side of y<sup>e</sup> said spruce swamp, having a flinty rock and stones on y<sup>e</sup> west side of the said tree, and so by a range of trees marked on y<sup>e</sup> east and west sides to Cokesit River or Brooke, and there marked a white oak tree on two sides with an heap of stones against it. This line was run November, 1681, by vs.

1681-2.  
7 March.  
HINCKLEY,  
GOV<sup>r</sup>.  
PART I.  
[\*67.]

WILLIAM BRADFORD,  
JOSEPH WARREN,  
WILLIAM PABODY.

\**At the Court of Election holden at Plymouth the sixt of June,*  
1682.

1682.  
6 June.  
[\*68.]

BEFORE Thomas Hinckley, Esq <sup>r</sup> , Gov <sup>r</sup> ,	James Browne,
John Alden,	Daniell Smith, &
Wiltam Bradford,	Barnabas Laythorpe,
John Freeman,	

Assistants.

**T**HOMAS HINCKLEY, ESQ<sup>r</sup>, was chosen Gov<sup>r</sup>, and sworn.  
And Major Wiltam Bradford was chosen Deputy Gov<sup>r</sup>, and sworne.

John Alden,	} were chosen Assistants, and sworn.
John Freeman,	
James Browne,	
Daniell Smith,	
Barnabas Laythorp, and	
John Thacher,	

Thomas Hinckley, Esq<sup>r</sup>, and Major Wiltam Bradford were chosen Comissioners. And M<sup>r</sup> Daniel Smith the next in nomination. And Major Wiltam Bradford was chosen Treasurer, and sworn.

1682.

6 June.  
HINCKLEY,  
Gov<sup>r</sup>.  
PART I.

## The Celeſ Men in each Towne of this Jurisdiction.

Plymouth :	Rehoboth :
Leif Morton,	Leif Hunt,
William Clarke,	Ensigne Pecke,
William Crow.	Gilbert Brookes.
Duxburrow :	Marshfeild :
Cap <sup>t</sup> Standish,	Cap <sup>t</sup> Thomas,
Ensigne Tracye,	Anthony Snow,
Benjamin Bartlett, Seni <sup>r</sup> .	John Bourne.
Scittū :	Eastham :
Mr John Cushen,	Cap <sup>t</sup> Sparrow,
Jeremiah Hatch,	Marke Snow,
Samuell Clapp.	John Done.
Sandwī :	Bridg <sup>w</sup> ā :
Mr Edmond Freeman, Juni <sup>r</sup> ,	Mr Samuell Edson,
John Blackwell,	John Willis,
Steuken Skiffe.	Leif Haward.
Taunton :	Dartmouth :
Leif Macye,	John Cooke,
Ensigne Leanard,	John Russell,
William Harvey,	Arther Hatheway.
Walter Dean,	Swansey :
John Hatheway.	Leif John Browne,
Yarmouth :	Samuell Luther,
Mr Edmond Hawes,	Obadiah Bowine.
Mr Edward Sturgis,	Middleberry :
John Miller,	John Thompson,
Jeremiah Howes.	Frañis Combe,
Barnstable :	John Nelson.
Leiftenant Laythorpe,	Bristol :
Leif Samuell Allin,	Cap <sup>t</sup> Church,
Serjeant John Howland.	Jabez Howland,
	Ensigne Rogers.

[\*69.]

\*The Constables of the seuerall Townes of this Jurisdiction.

Plymouth, . . . . .	Elkanan Watson.
Duxburrow, . . . . .	John Partrich.
Scittuate, . . . . .	{ William Barrell,
	{ John Bryant.



Sandwī, . . . . .	Jacob Burge.
Taunton, . . . . .	{ John White, James Walker, Junr.
Yarmouth, . . . . .	John Hallett.
Barnstable, . . . . .	John Barker.
Rehoḅ, . . . . .	{ Jonathan Blisse, Samuell Walker.
Marshē, . . . . .	{ Isacke Holmes, John Doged.
Easthā, . . . . .	Wiltam Walker.
Bridgē, . . . . .	Joseph Haward.
Dartm̄, . . . . .	Samuell Cornwell.
Swan̄s, . . . . .	{ James Cole, John Alline.
Middlebeř, . . . . .	Sannell Wood.
Bristol, . . . . .	Encrease Robinson.

1682.  
6 June.  
HINCKLEY  
GOV<sup>r</sup>.  
PART I.

The Names of the Deputies of the severall Townes.

Leifř Morton,	Capř   †Leiftenant† Joseph Laythorpe,
Joseph Warren,	Capř   †Leifř† Hunt,
Capř Josiah Standish,	Leifř   Ensigne Pecke,
Wiltam Paybody,	Captaine Thomas,
Mr John Cushen,	Serjē   Samuell Sprague,
Samuell Clapp,	Capř Sparrow,
Thomas Tupper,	John Done,
Stephen Skiffe,	Leiftenant Haward,
John Hathwey,	John Russell,
Ensigne Leanard,	John Thompson,
John Miller,	Obadia Bowin,
Leifř   Samuell Allin,	Capř Benjamine Church.

The Names of the Grand Enquest.

- |                                   |                         |
|-----------------------------------|-------------------------|
| 1. Serjeant Wiltam Harlow.        | 6., Steuen Vinall.      |
| 2. Wiltam Hoskins,<br>John Carey. | 7. Wiltam Swift.        |
| 3. Frañis West,<br>Mr John Pecke. | 8. Caleb Nye.           |
| 4. John Wadsworth.                | 9. John Hall.           |
| 5. John Briggs.                   | 10. Nathaniel Williams. |
|                                   | 11. John Hunt.          |
|                                   | 12. Joseph Howes,       |

1682.

6 June.  
HINCLELEY,  
Gov<sup>r</sup>.  
PART I.

- |                                       |                      |
|---------------------------------------|----------------------|
| John DAVIS.                           | 18. John Haward.     |
| 13. John Ryder.                       | 19. Gorge Soule.     |
| 14. James Hamblen, Jun <sup>r</sup> . | 20. Isacke Howland.  |
| 15. Josiah Snow.                      | 21. Timothy Brookes. |
| 16. Thomas Macomber.                  | 22. Nicholas Eldred. |
| 17. Thomas Freeman.                   |                      |

[\*70.]

\*The Names of such as took vp their Freedom this Court.

Job Winslow,	Caleb Eedye,
Joseph Church,	Abraham Holmes,
Nathaniel Lewis,	John Wheston,
John Butterworth,	Thomas Jenkins,
Nathaniel Holmes,	Sherjashub Burne,
John Hathway, Jun <sup>r</sup> ,	Elisha Bourne,
Samuell Walker,	Samuell Hall, Sen <sup>r</sup> ,
Joseph Kente,	Samuell Bullocke,
Thomas Wood,	Daniell White,
Samuell Studson,	Clement Kinge,
Wiltam Perrey,	Jonathan Willmoth,
Nathaniel Brookes,	Nicholas Lyde,
Shuball Smith,	Joshuah Smith,
Wiltam Bassett,	Gorge Robinson,
Charls Stockbridge,	Hezeckah Luther,
Jonathan Eames,	Jonathan Morey,
Samuell Little,	Nathaniell Church,
John Read,	Wiltam Barrell,
Samuell Thomas,	Jonathan Nye,
Isacke Holmes,	Samuel Thrasher,
Josiah Snow,	Joseph Sabin,
James Cole, of Swansey,	John Perrum, 44.

Propounded to take vp their Freedom, if approued, are as followeth.

Ensigne Silas Saares,	John Howard,+
Samuell Worden,+	Nathaniel Haward,+
Thomas Falland,+	Joseph Haward,
Dauid Thomas, Sen <sup>r</sup> ,+	John Haward, Jun <sup>r</sup> ,
Obadiah Eedey,+	Benjamine Willis,+
Caleb Nye,+	Robert Sandford,
John Morton,	Ephraim Tinkham, Jun <sup>r</sup> ,+

Ebenezer Tinkham,	Richard Childs.
David Wood,	M <sup>r</sup> Edmond Freeman,
John Thompson, Juni <sup>r</sup> ,+	John Willis, Juni <sup>r</sup> ,+
John Gorum,+	John Washburne, Juni <sup>r</sup> ,
Thomas Hinckley,	Edward Michell,
John Robinson,	Silas Titus,+
William Brett,	John Binson,
Elihew Brett,	Edmond Ranger,+
Nathaniel Brett,+	Hugh Woodberry,+
James Carey,	M <sup>r</sup> Richard Smith,+
Thomas Whitman,+	Zachery Curtice,+
John Delano,	M <sup>r</sup> Christopher Sanders,+
Joseph Vaughan,	Thomas Walker,+
John Haskell,	Benjamin Engle,+
David Thomas, Juni <sup>r</sup> ,	David Cary,
David Lennitt,	Robert Duch.+
Jededia Lumbert,+	

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These tooke the oath of fidelity this Court, and were sworne : —

John Briggs, of Scittuate,  
 Thomas Macomber,  
 Gorge Soule.

Surveyors of the Highways.

Plymouth, . . . . .	Nathaniel Holmes.
Duxburrow, . . . . .	{ John Rogers, Edmond Weston, Abraham Peirse.
Scittuate, . . . . .	{ Peter Collimore, James Briggs, Benjamin Peirse.
Sand, . . . . .	{ Robert Crosman, Seni <sup>r</sup> , Samuell Thrasher.
Yarmouth, . . . . .	{ Mellatiah Laythorp, Josiah Crocker.
Barnstable, . . . . .	{ William Sabine, John Carpenter.

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Marshfield, . . . . .	{	Ralph Powell,	
	{	Thomas Doged.	
Eastham, . . . . .	{	Thomas Freeman,	
	{	Jabez Snow.	
Bridgwater, . . . . .	{	Elihow Britt,	
	{	Nicholas Biram, Jun <sup>r</sup> .	
Dartmouth, . . . . .		^	^
Swansey, . . . . .		^	^
Middbery, . . . . .		^	^
Bristol, . . . . .		^	^

[\*71.]

\*Vpon the petition of M<sup>r</sup> Joseph Church and the rest of the propriators and inhabitants of Saconett, the Court haue graunted, that the said propriators and inhabitants that are or shalbe there admitted orderly, according to the lawes of this collonie, shalbe from this time a township, and haue the liberties of a towne, as other townes of this collonie, and shalbe called by the name of Little Compton.

Liberty is graunted by the Court vnto Thomas Purdaine to keep a victualling house for the entertainment of strangers att Showamett, and that hee be well prouided with beer, sider, and good horse meat, and other nessesaries requisite to such employ, and that hee keepe good orders in his house, that soe hee incurr noe just blame by pmitting lycensiousnes in that respect.

In consideration of some smale kindnes shewed by Dorrethy Earle vnto some of our souldiers in the time of our late warr, as alsoe her nessesities respecting her poor family standing in great need, this Court hath ordered vnto her the sume of fve pounds.

7 July.

[\*72.]

*\*Att the Court of his Ma<sup>tie</sup> held at Plymouth, for the Jurisdiction of New Plym<sup>i</sup>, the seauenth Day of July, Ann<sup>o</sup> Do<sup>m</sup>i 1682.*

BEFORE Thomas Hinckley, Esq <sup>r</sup> , Gov <sup>r</sup> ,	Daniell Smith,
Willam Bradford, Esq <sup>r</sup> , Deputie,	Barnabas Lothorpe, and
John Alden,	John Thacher,
John Freeman,	

Assistants, and sworne.

**W**HERAS there hath bin a longe and vncomfortable controversy and seuerall vexacious suites between Humphery Johnson, of Hingham, and the comittee and others the inhabitants of Scittuate, respecting the said

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Johnsons claimes of an interest in the vndevided  $\Delta$  of said Scittuate for four proprietes hee pretends to haue therin ; for the apeasing whēof, this Court see cause to advice and order the said comītee, by their agents, to lay out to the said Humphery Johnson two hundred and fifty acres of land in some place or places of the said vndevided land, as may be most convenient for the said Johnson and lest prejudiciall to the inhabitants or neighborhood of the said Scittuate ; and incase the said comītee, or their agents, and the said Johnson, doe not agree about the place or places where the said lands should be layed out, this Court doth impower and appoint Cap<sup>t</sup> Standish and Wilham Paybody, of Duxburrow, añ Insigne Marke Eames, of Marshfeild, or any two of them, to determine such place or places as to them shall seeme meete and reasonable, and said land to be layed out and bounded between this and March Court next, with the returne therof made to the said Court ; and that the said Johnson shall beare the said charge therof as other the inhabitants vse to doe for laying out there lands ; the said Johnson alsoe to beare the charge of the said three men aboue mentioned, incase there should be any need to call in their healpe as aforesaid, vnlesse the Court shall see better reason to order the last recited charge of said three men, or p<sup>te</sup> therof, on the said inhabitants ; which being don, the Court doth heerby order, and the said Humphery Johnson doth consent, and hath before this Court engaged, that it shalbe a full and finall issue of all the said controuersies, and the said Johnson, and all vnder him, to make noe more or further claime or demaund, or any interest, right, or title, to any other the said vndevided lands of Scittuate, or timber growing thereon, prouided alwaies, that incase the said Johnson, or any of his children, shall come orderly to inhabite in the said towne of Scittuate, then such inhabitant to haue right to make vse of the comōn or vndevided lands for feeding, wood, or timber, as other the inhabitants haue, but not for the said Johnson to haue any further deuision of land layed out to him or them, nor any libertie to cut or cary away any wood or timber from the comōns or vndevided lands of Scittuate aforesaid whiles hee or they dwell in other townes.

Vpon a Training Day, June the 27<sup>th</sup>, 1682.

The milletary companie of Rehoboth, with the rest of the housholders, being warned to make a choise of two psons to send their names to the honored Court for the establishing of one of them for a cap<sup>t</sup>, which accordingly the milletary and the rest of the housholders chose Leif<sup>t</sup> Peter Hunt, whoe had eighty and seauen voates, and Ensigne Nicholas Pecke, whoe had fifty and five voates, in order to the proposing of them to the said honored Court.

JONATHAN FULLER.

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The Court approves of the said Leiftenant Hunt to be capt<sup>t</sup> of the military companie of Rehoboth.

Whereas it hath pleased God to moue our honored majestrates with a sence of the soule languishing condition of such of the people in this jurisdiction att Saconett and places adjacent, for the want of the preaching of Gods word amongst them, together with their owne want of the sence of that duty to doe what in them lyes that the good knowlidg of God and of his wayes might be taught to them, and therefore doe comēd it to seuerall of the elders to take their turnes as they may haue oppertunitie, euen vnto them and the elders, being moued with compasion towards their soules, being desirous to promote the honor of God amongst them and their spirituall good, haue red-dily complied to take their turne amongst them to labour in the worke of God amongst them for their sperittuall good ; this Court, therefore, doth highly approve therof, and shall soe doe of like indeauors of any of the minnesters of other places where there may be like need, seriously advising and comēding it to all the people of those places that they would with all reddines of hart receiue the good word of God which shalbe taught vnto them, and not put away the word from them, nor desert his messengers, least wrath from God breake forth against them.

[\*73.]

\*For the settlement of the estate of John Yeates, of Eastham, deceased, this Court doth order as followeth, viz<sup>t</sup> : that the land shalbe settled on his son, John Yeates, to be by him possessed and injoyed by him when hee comes of age ; and that the widdow shall pay, or cause to be payed, vnto their two daughters, Mary Yeates and Martha Yeates, to each the sume of eight pounds in current country pay when they come of age, or att the day of their marriage, which shall first happen ; and for the rest of the rents of the lands, that shee haue them vntill their son comes of age, and then shee to haue the thirds therof during her life ; and the rest of the estate not already disposed of to be for her support, and for and towards the bringing vp of the children.

Liberty of adminnistration is graunted by the Court vnto Deborah Yeates, widdow, of Eastham, to adminnester on the estate of John Yeates, of Eastham, late decesed.

Deborah Yeates, of Eastham, stands bound vnto the Court in the penall sume of one hundred pounds ; for the payment wherof well and truely to be made, shee heerby bindeth herselfe, her heires, executors, and adminnistrators, joyntly and seuerally, feirmly by these p<sup>s</sup>ents.

The condition of the aboue written obligation is such, that whereas the aboue bounden Deborah Yeates, widdow, hath obtained of this Court letters of adminnistration to adminnester on the estate of John Yeates, of Eastham,

late deceased, if, therefore, the aboue named Deborah Yeates shall and doe faithfully pay all such debts and legacyes as are due and owing vnto any from the said estate, and saue and keep harmles the Goſſ and Court of Plymouth aforsaid from all damage that may acrew vnto them by her said adminnestration, and keep a faire accountt therof, and be reddey to giue in a true accountt therof to the said Court when by them required, that then the aboue written obligation to be void and of none effect, or otherwise to remaine in full force, strength, and vertue.

Samuell Delano and Thomas Delano, of the towne of Duxburrow, standeth heerby bound vnto the Goſſ and Court of Plymouth aforsaid in the penall sume of one hundred and fifty pounds; for the payment wherdof well and truely to be made, wee bind ourselues, our heires, executors, and adminnestrators, joyntly and seuerally, feirmly by these p̄sents.

The condition of the aboue written obligation is such, that wheras the aboue bounden Samuell Delano hath obtained letters of adminnestration to adminnester on the estate of Phillip Delano, of Duxburrow aforsaid, late deceased, if, therefore, the said Samuell Delano doe faithfully adminnester on the said estate, and pay all such debts and legacyes by equall and alike proportions as the estate will amounte vnto, and saue and keep harmles the said Goſſ and Court from any damage that may acrew vnto them by there said adminnestration, and keep a faire accountt therof, and be reddey to giue in a faire accountt therof vnto the Court when therevnto required by them, that then the aboue written obligation to be void and of non effect, or otherwise to remaine in full force, strength, and vertue.

In reference vnto a p̄sell of barke attached by a warrant from Major Bradford, the Court haue ordered Thomas Pincen, late constable of Scittuate, to release the said barke; and the Court orders Timothy White to receiue the said barke, and soe to order that it be deliuered to the owners therof.

Willam Parker ingageth before the Court, that the next time that hee is brought before the Court for selling liquor, sider, or beere, from this time forward, without lycence, that then hee to pay fieve times soe much as hee should haue payed att this time.

This Court allowes and approues of M<sup>r</sup> Rodulphus Thacher to be gaurdian vnto two of M<sup>r</sup> Samuell Saberryes children, viz<sup>s</sup>, vnto Hannah and John Saberrye.

\*Know all men by these p̄sents, that I, Richard Smith, of Narragansett, in New England, in America, gentl̄e, doe heerby stand bound vnto the Goſſ and Court of Plymouth in the penall sume of fieve hundred pound sterling.

The condition, that wheras M<sup>r</sup> Richard Smith aboue named hath

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cōmenced suite against Morris Freeloue in an action of the case to the damage of five hundred pound, for that the said Morris Freeloue doth vnjustly detaine an island which hee, the said Richard Smith, claimeth to be his right, and that the said Freeloue hath settled himselfe theron without the said Smith his consent and approbation, as is expressed att large in the entery of the said action.

If, therefore, the said Richard Smith shall and doe psonally appeer, or some one or more attorney or attornies in his behalfe, att the Court of his ma<sup>tie</sup> to be holden att Plymouth aforesaid the last Tusday in October next, to procecute the said suite to effect, that then the aboue written obligation to be void and of non effect, or otherwise to remaine in full force, strength, and vertue.

Morris Freeloue, of New Port, on Rhode Iland, in the jurisdiction of Prouidence Plantations, in New England, doth heerby acknowledge himselfe to stand bound to the Goũ and Court of New Plymouth aforesaid in the penall sūme of five hundred pounds sterling.

The condition, that if the said Morris Freeloue doe psonally, or by his lawfull attorney, appeer att the Court of his ma<sup>tie</sup> to be holden att Plymouth aforesaid the last Tusday in October next, to answare the said M<sup>r</sup> Richard Smith in his abouesaid action cōmenced against him, that then his aboue written obligation to be void and of none effect, or otherwise to remaine in full force, strength, and vertue.

Robert Stanford came into the Court, and payed the sūme of forty shillings, siluer mony, to John Bryant, Seni<sup>r</sup>, of Scittuate, in full satisfaction for an execution said Bryant obtained from the select men of Marshfeild, wherby said Stanford hath obtained libertie of an appeale from the said verdict of the celect men of the towne of Marshfeild, which shalbe to all intents and purposes as effectuall as if the said Stanford had emediately appealed from the aforesaid verdict; which said appeale said Stanford is to procecute to effect att October Court next, and said Bryant doth engage to answare the said appeale att the said Court.

Att this Court, M<sup>r</sup> Ralph Thacher came into the Court, and petitioned the Court to take into their consideration a graunt of land made vnto M<sup>r</sup> Wiltam Kemp, lying within the towne of Duxburrow, about Namassakesett, with meddow convenient to be layed forth vnto the same, which meddow was neuer yett layed out according to Court order, neither what was done about the laying of it out to be found vpon record nor in any other writing. This Court doth therefore order the three men appointed by the towne of Duxburrow to lay out the said lands and run the ranges, namly, Ensigne John Tracey, John Soule, and Wiltam Paybody, to repaire to the said place, and lay out



the said meddow according to that proportion the said meddowes were ordered to be layed forth by the towne of Duxburrow att the first, that soe the vpland of the said Wilłam Kemp may be accomodated according to Court order.

\*The Court doth order and appoint the Goſſ, M<sup>r</sup> Laythorp, and M<sup>r</sup> Thomas to treat and conclude with the messengers of Rhode Iland in reference vnto a controversye between the Rhode Iland men and M<sup>r</sup> Richard Smith about a little iland called Hogg Iland.

The Court haue ordered, that foure pounds and four shillings be allowed to Captaine John Wilłams, in way of grattification for the service don by him in the late warr.

It is ordered by a Court, that a jury be impanneled out of Middlebery, Bridġwater, Dartmouth, and Sepecan, — viz<sup>ſ</sup>, fiue out of Bridġwater, 4 out of Middlebery, two out of Dartmouth, and one of Sepecan, — to lay out a way that may best serue for the said townes and plantations, to the way which Waymouth hath layed out to the pattent line, and each towne to pay there owne men.

The Court haue agreed with M<sup>r</sup> Wilłam Clarke to prouide suitably for the Goſſ and majestrates diett, lodging, &c, in the country house att Plymouth, for four Courts, viz<sup>ſ</sup>, October, March, June, and July, and to pay him forty pounds in mony for the same ; if it shall happen that the Generall Court be adjourned, or speciall Courts called, within the time of the yeer, hee is to be allowed for those Courts according to his just accompt.

The Treasurer is to prouide chaires, cushen, carpetts, and one bedstead more then is, att the collonies charge.

Att this Court, M<sup>r</sup> John Cushen was appointed, for Scittuate, to graunt warrants and giue suppenaes, and to adminestrate oathes to any euidences att any time as occation may require in the towne of Scittuate, and to solleñise marriage in the same towne as occation may require.

In like manor, John Bourne, of Marshfeild, hath libertie from the Court to graunt warrants, and giue subpenaes, and adminester oathes to testimonies, and to solleñise marriage, in Marshfeild.

The like was graunted vnto Cap<sup>t</sup> Benjamin Church and John Carrey, to graunt warrants, and giue su<sup>m</sup>ons and subpenaes, and to adminester oathes ; further aded, that they haue power to call in question prophane fellowes, viz<sup>ſ</sup>, Sabbath breakers, drunkards, and psons guilty of other criminall facts, and to deale with them answarable to their demeritts, and that they haue libertie to solleñise marriage as occation may require within their towneshipp.

Att this Court, the lycence graunted to John Simons to keep an ordinary is called in.

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Att this Court, John Randall, for his swearing by his Maker, was fined, according to the law, ten shillings.

And for neglect of an attendance vnto the word of God, haueing the same taught where hee might haue heard it, is fined for it, according to law, ten shillings.

Wiltam Gray, of Yarmouth, for cutting out the markes of two mares, was fined the sume of twenty shillings siluer mony.

Christopher Gifford came into the Court, and for contemptuously speaking against the dispencers of the word of God, was fined ten shillings.

July, 1682. This Court orders, the land called Assonett Necke, being purchased by some of Taunton, that the said tract of land shalbe in the townshipp of Taunton.

[\*76]

\*Wheras many alegations haue bine debated before the Court touching the prouiding for John Harmon, whoe hath bin for seuerall yeers wandering from one towne to another, and not fixed to any place; and for the better vnderstanding of the right of that matter, where in justice hee ought to be fixed, the Court gaue notice to the deputy of Dartmouth, for that towne to send some agent to the Court, with other townes where said Harmon hath of late bine residing, that their alegations might be considered, pro and con; but none appeering from that towne, and it appeering to the Court that said Harmon had bin for a considerable time imediately before the warr in said towne, wherby hee seemed as probably to belong to that towne as to any other; the Court therfore ordereth, that said towne of Dartmouth shall keep and maintaine said Harmon vntill October Court, att which time, if they can make it appeer that hee doth not of right belonge to them to keep and maintaine, the Court will otherwise order it according to justice.

[\*77.]

\*Wheras att March Court, 1665 and 1666, the honored Court of New Plymouth did order the towne of Rehoboth to run the lynes of the bounds of their towne; and the honored Court was pleased to appoint M<sup>r</sup> James Browne, Seni<sup>r</sup>, and M<sup>r</sup> John Allin, Seni<sup>r</sup>, to see the said bounds layed out, whervpon the towne chose psons to doe it; and the aforesaid gentlemen, appointed by the honered Court, and the psons chosen by the towne, did attend it in the month of Aprill, 1666; and the bounds of the towne of Rehoboth are as followeth:—

Imp<sup>r</sup>, a white oake marked by Patuckett Riuer, by or neare a smale run ruñing into the said riuer; and from thence by marked trees to a great blacke oake marked standing by the edge of the Great Plaine; and from thence by marked trees ouer the Seauen Mile Riuer and ouer the Ten Mile Riuer vnto a

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pyne tree marked with two R R, and a trench diged; and from thence ouer the plaine to a blacke oake marked with an R, and a heape of stones, there standing a great rock within six foot of the tree; and from thence by marked trees to a blacke oake marked with an R, and an heape of stones standing vpon a hill neare to a smale pond; and from thence to a redd oake marked with an R, and a trench diged by the ceader swamp; and from thence eighty rodd by marked trees in the ceader swamp to the corner tree, being a ceader tree marked; from thence southerly to a white oake marked with an R standing by the road way to Taunton; and from thence to a chesnut tree marked standing in a rocky island, with a heap of stones; and from thence straight to the southeast corner by Mattapoisett; the southeast line att the southwest corner is a smale freshett of water ruñing into the Salt Riuer a little southward of a smale iland in the riuer; from thence to an oake marked by a swamp, where Cap<sup>t</sup> Willett made a bridge; from thence by marked trees to a white oake marked with an R, and heap of stones neare to the house, wher formerly Richard Whitacar dwelt; from thence by marked trees to a white oake marked standing in the salt meddowes vpon a point of vpland near to Sowams Riuer, and ouer the said riuer to a blacke oake marked with an R, and a heap of stones by the coñon road; from thence by marked trees to a white oake marked with an R; and from thence a few rodde to a greate rocke, with an heap of stones vpon the rocke; and from thence ouer the Rockey Riuer by marked trees to a white oake marked with an R, by Mattapoisett Riuer; and from thence ouer the riuer eightey rodd to the southeast corner of the towne, there being an heap of stones and a blacke oake marked, the west syde of the towne being bounded with Patuckett Riuer and the Salt Riuer.

Transcribed out of the towne of Rehoboth records by me,

WILLAM CARPENTER, Towne Clark.

\*To Steuen Skiffe, the Cheiffe Marshalls Deputy of his Ma<sup>ties</sup> Collonie of [\*79.]  
New Plymouth, greet, &c.

Wheras the cheiffe marshall, by reason of his age and disabillitie of body, did in open Court, and with their direction, consent, and allowance, constitute and declare you to be his deputy, to acte in all thinges required by lawfull authoritie heer established respecting his office as any occasion might arise.

Now, wheras, on the request of Zacheriah Allin, late of Sandwich and Dartmouth, in the said collonie, the said Zacheriah Allin had a further triall att his ma<sup>ties</sup> Court held att Plymouth the first Tusday in March last past, according to his owne desire, by a jury sworn to try the issue between our soñ lord the King and him, the said Zacheriah Allin, respecting the breach of the

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wholsome law of this collonie prohibiting the selling or furnishing any Indian or Indians with stronge liquors, &c, wherof hee stood convicted; and the verdict of said jury in that case as by record doth and may appeer, that they find said Zacheriah Allin guilty of selling or furnishing of Indians with stronge liquors fower seuerall times, whervpon the said Court sentanced the said Zacheriah Allin to pay the sume of twenty pounds of currant siluer mony of New England, as by said law is in that case provided, viz<sup>s</sup>, five pounds fine for euery such offence or transgression; and forasmuch as Joseph Holly, of Sandwich aforesaid, yeoman, became surty and stands bound by recognisance to our soū lord the Kinge in the sume of twenty five pounds of lawfull mony of New England for the said Zachery Allins appeerance, abiding by, and pformance of what by the said Court should be then and there injoynd him as by the said recognisance bearing date the 17<sup>th</sup> of June, 1681, and renewed the 28<sup>th</sup> of February, 1681, acknowledged before mee, Thomas Hinckley, Gov<sup>r</sup>, whervnto reference being had, doth and may more att large appeer.

These are, therefore, in his maties name, to will and require you, p<sup>s</sup>ently on receipt heerof, to demaund the said fine of twenty pounds of the said Joseph Holley; the which if neither hee nor the said Zacheriah pay vnto you, then that you leuy the same by distresse on the moneys, good, cattle, or other estate of said Zacheriah Allins, where or in whose hands soe euer you can find it, and in such p<sup>t</sup>e as is nearest the specue, or will best procure it, in which the said fine ought to be payed, as by law in that case is provided; and incase you can neither find, nor the said Joseph Holley or his order shew you, such estate of said Allins, or not enough to satisfye the said fine, auouching it to be said Zacheriah Allins estate, that then you leuy soe much by destresse on like estate as aforesaid of the said Joseph Holleys; and, further, that you leuy alsoe your owne allowed fees, and soe much ouer as will satisfy the charges you are put vpon in leuying or transporting the said fine vnto Plymouth, vnto the Treasurer of this collonie there; vnto whom you are to deliuer the said twenty pounds in or as money, free of charge, in full satisfaction of this execution. Wherof fayle not, as you will answare for your contempt att your owne prill, and make returne heerof and your doeings heerin to the next Court.

Giuen att Barnstable, this 28<sup>th</sup> of September, 1682.

THOMAS HINCKLEY, Gov<sup>r</sup>.

[\*80.]

\*The 24<sup>th</sup> of October, 1682, I went to the house or place of the vsual abode of the within named Zacheriah Allin, of Dartmouth, and demaunded of him the sume within mensioned; vpon which the said Allin tendered to

mee forty two acres of land, and halfe an acre lying in the botome of the necke of land called Panomesett Necke, bounded by a riuer or bay eastward, and by the sea southward, and by a pond westward; and the said Zachery Allin chose one prisor, and I chose another prisor, to apprise the land; and the said prisors and I valled the land att 21<sup>u</sup> 5<sup>s</sup>, which said land I then entered into, and seized it for the vse of this collonie of New Plymouth, by vertue of the within written execution, as witnes my hand.

STEPHEN SKIFFE.

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*Att the Court of his Ma<sup>tie</sup> holden att Plymouth, for the Jurisdiction of New Plymouth, the last Day of October, 1682.* 31 October.

BEFOR Thomas Hinckley, Esq <sup>r</sup> , Gou <sup>r</sup> ,	James Browne,
Wiltam Bradford, Deputy Gou <sup>r</sup> ,	Daniell Smith,
John Aldin,	Barnabas Laythorp, and
John Freeman,	John Thacher,
Assistants, &c.	

**S**AMUELL LUTHER is approued and appointed by the Court to be capt<sup>r</sup> of the milletary companie of Swansey.

M<sup>r</sup> Nicholas Pecke is approued and appointed by the Court to be leiftenant of the milletary companie of Rehoboth.

Silas Saares is allowed and appointed by the Court to be leiftenant of the milletary companie of Yarmouth, and John Hawes to be ensigne of the said companie.

The Court allowes and approues of John Wadsworth to be gaurdian of Samuell Sabery, of Duxburrow, son of M<sup>r</sup> Samuell Saberry, deceased.

Arther Howland is allowed and approued by the Court to be gaurdian of Caleb Williamson, of Marshfeild.

Letters of adminnestration was graunted by the Court vnto Sherjashubb Bourn and Elisha Bourne to adminnester on the estate of M<sup>r</sup> Richard Bourne, deceased.

Capt<sup>r</sup> Nathaniel Thomas is lycenced by the Court to draw and sell stronge liquors vnto his naighbors by the gallon, or not lesse then a gallon att a time to one pson.

In reference to the settlement of some lands which appertained to Edward Gray, deceased, the Court haue ordered Samuell Sprague to giue meeting to

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31 October.  
HINCKLEY,  
Gov<sup>r</sup>.  
PART I.

the propriators of Puncckateest and Pocasett att theire meetings for and in the behalfe of Mistris Dorethy Gray & persons concerned in said estate, and to acte in there behalfe therein as need or occation may require.

Memorand: that James Case and Thomas Butts to be sent for to the next Court, to giue a reason of there being and continewance att Puncckateest without liberty first obtained soe to doe from the goument; and that likewise Benjamine Downing be sent for to the said Court to giue a reason of his being on the freemens land without libertie as aforesaid.

[\*81.]

\*Sam, the Indian, soe called, for his rape comitted vpon an English gerle, being found guilty by the jury, who found him guilty by his owne confession, in wickedly abusing the body of Sarah Freeman by laying her downe vpon her backe, and entering her body with his, although in an ordinary consideration hee deserued death, yett considering hee was but an Indian, and therefore in an incapacity to know the horibleness of the wickednes of this abominable act, with other cercomstances considered, hee was centanced by the Court to be seuerly whipt att the post and sent out of country.

John, an other Indian, for his incorrigable theft the second time, in robing of a barke and other theft, was centanced by the Court to be sent out of the country.

The Juryes Names that went on the Case of the first aboue named Indian.

Mr John Cushen,	Edward Jenkins,
Cap <sup>t</sup> Laythorpe,	Elkanan Cushman,
Wilham Paybody,	Wilham Vobes,
Samuell Clapp,	Arther Howland,
Jonathan Morrey,	Dauid Aldin,
John Soule,	Adam Wright.

Vnto which English jury four Indian men p<sup>r</sup>sent were aded, viz<sup>s</sup>: Keen-comsett, Lawrance, Cap<sup>t</sup> Daniell, Concoquitt.

Att this Court, Wilham Numacke complained against Gorge Barlow, for that the said Barlow doth continew the vse and improuement of some land of the said William Numacks about Pinquin Hole, on which lands the Court layed an extent for the tearme of ten yeers for the payment of a debt of seauen pounds four shillings vnto Wilham Paybody, whoe rented those lands vnto the aforesaid Barlow; & the time being expired the fifteenth day of October last past, this Court doth therefore order the said Barlow to desist any further vse and improuement of said land, or else make his appearence att March Court next, then and there to render a reason for the contrary.

In reference vnto the disposall and settlement of the estate of Nicholas Nicarson, of Yarmouth, this Court doth order, that wheras the estate amounts vnto 125<sup>l</sup> 9<sup>s</sup> 3<sup>d</sup>, that the widdow, for the bringing vp of the smale children, shall haue twenty five pound nine shillings and thirpence ; and shee is to haue twelue pound thirteen shillings and four pence during her naturall life out of the house and land, and a third p̄te of the rest of the mouable estate ; and the whole remainder of the said estate to be deuided into eight p̄tes, and destributed amongst the children, wherof the eldest to haue a double p̄tion, and the other children to haue theire p̄tes when they come of age or are married, which of them shall first happen ; and incase any of them shall die before then, theire p̄te to be deuided amongst those that shall surviē, euery one alike proportion.

An order was directed to the celect men of the towne of Duxburrow to take some course with Henery Clarke and Thurston Clarke, whoe are like to be in great want, that what stocke they haue may be improued for theire benefitt and comfort, soe as not to be a burthen to themselues or theire neighbours.

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Gou<sup>r</sup>  
PART I.

*\*Att the Generall Court of his Ma<sup>tie</sup> holden att Plymouth the sixt of February, 1682.*

1682-3.

6 February.

[\*83.]

**T**HE occasion of calling the said speciall Court being declared, viz<sup>d</sup>, to know the mind of the Court whether they judged it meet to send an agent for England to the Kinge and Councell, to petition for confeirmation and enlargment of our letters pattents, after competent consultation and deliberation it was concluded in the affirmative ; and accordingly Mr Ichabod Wiswall was by full consent chosen to goe on the said expedition.

Moreouer, a com̄ittee was chosen to agitate and conclude of such p̄ticulars as shalbe by them thought meet in reference to the said messenger, whose names follow : —

Viz<sup>d</sup>, our honored Gou<sup>r</sup>, Major Wiltam Bradford, Mr Barnabas Laythorpe, and Cap<sup>t</sup> Nathaniel Thomas, were chosen for a com̄ittee, whoe according to theire best judgment and descretion shall giue instructions and advice vnto our said agent chosen to be sent to his ma<sup>tie</sup> for his management of our pattent, and to furnish him with what they shall judge nessesary for his managment of that affaire, both as to mony and any other nessesaries and conveniencies accordingly as they shall judge needfull ; and this Court will allow and con-ferme any such acte of the said com̄ittee, or any three of them, the Gou<sup>r</sup> being one, and defray the charge therof.

1682-3.

6 February.  
HINCKLEY,  
GOU<sup>r</sup>.  
PART 1.

And incase it shall soe happen, that our said agent shall not or doe not take on him the said imploy, or be any otherwise hindered from going to his ma<sup>tie</sup> about our said affaire, that then the said comittee shall haue power by vertue heerof to doe and acte in and concerning that affaire of our pattent, either by sending to Mr Blathwaite or otherwise, as they shall judge most expedient for vs, and this Court will alsoe defray the charge therof.

Wheras Mr John Cushen, Wiltam Paybody, and John Russell appeared not att this Court, and the Deputy Gou, Cap<sup>t</sup> Freeman, John Miller, Cap<sup>t</sup> Sparrow, and John Done departed this Court before it was finished, all being members therof, this Court orders, that if att June Court they render not a sufficient excusse they shalbe fined according to law.

This Court haue fully and freely giuen vnto Mr Terrey, of Taunton, a certaine smale p̄sell of land, be it more or lesse, lying or adjoyning vnto his other land, lying att Taunton Riuer, to him and his heires for euer; the said p̄mises, with all and singulare the appurtenances belonging thervnto, to belonge to him, the said Thomas Terrey, hee, his heires, and assignes, for euer.

This Court haue voted, that Sandwich, Barnstable, Yarmouth, and Eastham shall find and allow vnto the building of the Eelriuer bridge, euery of the said townes, fve pounds in siluer mony; and the said bridge is to be a cart bridge, and is to be wharfed vp att both ends, and but one peer left in the middle of the said bridge, and the towne of Plymouth are to finish and compleat the said bridge.

And that Plymouth, with the other southeren townes, shall maintaine Jones Riuer bridge and the Eelriuer bridge, when the Eelriuer bridge shalbe built, according to proportion as they are in the cuntry rats; and then the said townes shalbe free from being charged toward the building of any other bridge out of thire respectiue townshipes.

This Court haue ordered, that Scittuate pay ten pounds, Marfeild fve pounds, and Duxburrow fve pounds, in siluer mony, towards the building of Barstowes bridge, onely that twenty shillings is to be taken out of Duxburrows fve pound, and placeed to Mannamoiett to pay it, in siluer mony; butt incase that Scittuate, Marshfeild, and Duxburrow shall see cause to build and maintaine a cart bridge ouer the North Riuer, neare Barstowes bridge, then they shalbe free from being charged towards the building or maintainance of any other bridge out of thire respectiue townshippes.

||June, 1683. This Court haue ordered, that for the better vnderstanding of the order of Court made in February last, that if Scittuate, Marshfeild, and Duxburrow shall see cause to build and maintaine a cart bridge ouer the North Riuer, neare Barstowes bridge, then they shalbe free from being charged



toward the building or maintainance of any other bridge out of their respective townships. This Court declares, that Duxburrow is to be free from maintaining of Joanes Riuer bridge, vpon the aboue resited condition, excepting onely the grauelling of the end of the causwey, which is in their towne.||

\*Wheras it doth appeer to the Court, that there is noe other estate extant to pay the debts of Richard Berry, deceased, the Court doth order M<sup>r</sup> John Miller and Jeremiah Howes, of Yarmouth, to make sale of the house and lands of the said Berreys to pay his just debts; and if any ouer plusse appeer after such debts are payed, the said remainder to be att the Courts dispose for the vse & benefitt of the children.

In reference to an Indian named James, now liueing att Swansey with M<sup>r</sup> Anthony Loe, whoe was out in the rebellion, and hath often soliseted the Court for his freedom, this Court haue ordered, that the Tusday after March Court hee shalbe free, except M<sup>r</sup> Loe doe appeer, or some one for him, att the said Court, to giue satisfying reason to the contrary; and the Court orders, that when hee goes away from his said master, that hee shall giue him a good suite of clothes.

The Generall Court, being deeply sensible that wee are greatly guilty of forfeiting many choise blessings and priuiledges that our gracious God hath bestowed vpon vs, and for soe longe a time continewd to vs, doe therefore judge it meet and nessesary to call vpon all the churches and people in this jurisdiction to assemble together in their respective places on the 22 of this instant, to fall downe befor God in an humble acknowledgment of all our bakeslidings from him, wherby wee haue greuously prouoked him to lay all our pleasant things wast and desolate, & earnestly to seeke his face and fauor in Jesus Christ still to continew our sacred and ciuill liberties; and for that end that hee would direct in, blesse, and succeed that waighty affaire now vnder consideration, viz<sup>t</sup>, our application to his ma<sup>tie</sup> for our establishment in the orderly injoyment of our most desirable blessings; and that if it please God an agent be sent for that purpose, our God would graciously protect and preserue him, and prosper his way to the other England, and giue vs to find fauor in the eyes of our lord the Kinge, and in due season returne a comfortable answare to our desires; alsoe, that God would sanctify his hand in that epedemicall disease & distemper of the cold and coughs in the country, as alsoe his afflicting hand vpon poor children, that hath bin soe mortall to many in diuers places; and that  $\wedge$  would turne from his anger, and restore and continew health euery where, and blesse the labours of his people this insueing yeer, giueing both seed time and haruest according to his promise; alsoe, in a speciall manor to seeke  $\wedge$  and salvation to be vouchsafed to the Lords persecuted ones in other p<sup>tes</sup> of the world.

1682-4.

31 October.  
HINCKLEY,  
GOU<sup>ER</sup>.  
PART I.  
[\*84.]

1682-3. *\*Att the Court of his Ma<sup>tie</sup> holden att Plymouth the sixt Day of  
March, 1683.*

6 March.  
HINCKLEY,  
Gov<sup>r</sup>.  
PART I.  
[\*85.]

BEFORE Thomas Hinckley, Esq<sup>r</sup>, Gov<sup>r</sup>, Daniell Smith,  
Wiltam Bradford, Deputy Gov<sup>r</sup>, Barnabas Laythorpe, and  
John Aldin, John Thacher,  
James Browne,

Assistants, &c.

**T**HIS Court allowed vnto Sarah Carpenter, of Rehoboth, the relict of M<sup>r</sup> Samuell Carpenter, late deceased, the thirds of the estate and twenty six pounds for and toward the bringing vp of four smale children, and the remainder to be deuided into elcuen ptes, the eldest to haue a double pte, and the rest to be deuided amongst the children equally and in a like proportions, viz<sup>s</sup>, the children of M<sup>r</sup> Samuell Carpenter, late deceased.

Know all men by these p<sup>s</sup>ents, that wee, Wiltam Carpenter and Samuell Carpenter, Juni<sup>r</sup>, of the towne of Rehoboth, and Sarah Carpenter, the relict of the said M<sup>r</sup> Samuell Carpenter, deceased, doe acknowledge ourselues heerby to stand bound vnto the Go<sup>v</sup> and Court of New Plymouth in the penall sume of four hundred pounds; for the payment wherof well and truly to be made, wee bind ourselues, our heires, executors, and adminnestrators, feirmly by these p<sup>s</sup>ents. Sealed and giuen this eight of March, anno Do<sup>m</sup>i one thousand six hundred eighty and two, 83.

The condition of the aboue written obligation is such, wheras the aboue bounden Wiltam Carpenter, and Samuell Carpenter, & Sarah Carpenter, the relict of M<sup>r</sup> Samuell Carpenter, dēased, haue obtained letters of adminnestration to adminnester on the estate \_\_\_\_\_, of Rehoboth aforesaid, late deceased, if, therefore, the said Wiltam Carpenter, and Samuell Carpenter, Juni<sup>r</sup>, and Sarah Carpenter shall and doe pay all such debts and legacyes as are due and owing vnto any from the said estate, and keep a faire accoumpt of ther adminnestration, and be reddy to giue in a faire accoumpt therof vnto the Court when by them required, and saue and keep harmles and vndamnifed the said Gouvernor and Court from any damage that may acrew vnto them by their adminnestration, that then the aboue written obligation to be void and of non effect, or otherwise to remaine in full force, strength, and vertue.

This Court haue ordered the Cape mony as followeth, viz<sup>s</sup>: to Bāstable scoole, twelue pound; to Duxburrow scoole, eight pound; to Rehoboth scoole,

five pound; to Taunton scoole, three pound; and two pound to M<sup>r</sup> Daniel Smith. 1682-3.

8 March.  
HINCKLEY,  
GOU<sup>r</sup>  
PART I.

Att a Court held att New Plymouth March the eight, 1682, vpon a complaint made to the said Court by seuerall psons of the towne of Scittuate and alsoe of the propriators of Conahassett lands, that there is vncertainety and want of fixed bounds between the land of the said towne of Scittuate and the land of the propriators of Conahassett, for the preuention of future contest in reference to the p̄mises, the said Court haue deputed, ordered, Cap<sup>t</sup> Josiah Standish, Wiltam Paybody, and Leiftenant Marke Eames, M<sup>r</sup> John Cushen, and John Briggs, to run a line or lines, and to settle and fix bounds between said townes and propriators lands according to such deeds, records, and euidences as said p̄tyes shall produce and present to the aboue named com̄ittee, whoe are deputed by said Court to attend and pforme the same with as much convenient speed as may be, saueing to the greiued att such settlement there liberty at law.

This Court orders, that the celect men of the towne of Plymouth, viz<sup>s</sup>, Leif<sup>t</sup> Morton, M<sup>r</sup> Wiltam Crow, and M<sup>r</sup> Wiltam Clarke, shall inquire after and vse means that what appertaines to Robert Marshall may be deliuered to him, and alsoe to take into thire custody whatsoever appertaines to the widow, Mistris Jone Barnes, and to improve it for her support as shee shall or may stand in need therof.

\*This Court doth order M<sup>r</sup> Daniell Smith to giue oathes to the two witnesses of Anthony Perrey, of Rehoboth, late deceased, and likewise to administer an oath to the witnesses of the inventory of the said Edward Perrey his estate, and otherwise to advise the widdow in whatsoever shalbe thought needfull by him in that behalfe. [\*86.]

Wheras Joseph Gorum hath made appeer to the Court, that hee hath formerly serued in the office of an ensigne, and therefore desireth that hee may be freed from training, the Court, on consideration of the p̄mises, haue freed him from publicke training as a priuate souldier.

This Court alloweth vnto Mistrise Dorethy Gray, out of the estate of M<sup>r</sup> Edward Gray, deceased, the sume of sixty pound for and towards the bringing vp of the three youngest children of his.

This Court alloweth a debt of seauen pound from the estate of Francis Combe due to Robert Finney, Seni<sup>r</sup>, of Plymouth.

Att this Court, John Howland, of Barnstable, was ordered by the Court to be leifenant of the milletary companie of Barnstable.

In reference to two children, the daughters of M<sup>r</sup> Francis Combe, whoe are left, the one named Deborah Combe, the other named Marcey Combe, the

1682-3. youngest left with Andrew Ringe and Lettice Ringe, his wife, whoe is grand mother therunto, and the other, the eldest, left with John Morton, whoe is vnkle therunto, the Court haue ordered, that they shall stay and bee with the said Andrew Ringe and his wife and John Morton vntill they attaine the age of seauenteen yeers, and not to depart from or from vnder their dispose vntill the said tearmes of time are fully expired.

8 March.  
HINCKLEY,  
Gou<sup>r</sup>.  
PART I.

Wheras Capt John Williams did, about three or foure <sup>^</sup> since, obtaine an execution from authority for fifty six shillings against Gorge Partrich, Indian, sundry goods stollen away from said Williams, and damage don him, and assisting an Indian squa, seruant to said Williams, from vnder which execution said Partrich made an escape, and since comitted sundry misdemeanors, as swearing, assaulting, threatening to kill the said Captaine Williams, for which being imprisoned, and brought to answar for said misdemeanors, and being found convict therof, was by this Court centanced to be whipt, and warned not to come any more att Scittuate as hee would answare the contrary att his pill, and alsoe ordered him to pay to the said Capt Williams the said fifty shillins mensioned in the said execution, and twenty shillings more to said Captain Williams for his charge, trouble, and damage respecting the said misdemeanors, and twenty shillings to the Scittuate constabls for their charges, and eleuen shillings to the vnder marshall for his fees, amounting all to five pounds and seauen shillings in siluer mony; and wheras for the payment wherof M<sup>r</sup> Wiltam Clarke oblidged himselfe, and on request of said Gorge Partrich hath payed the said monyes, hee, the said Partrich, Indian, did promise well and faithfully to serue the said Wiltam Clarke from the date heerof vntill the latter end of October next come twelue month, this Court doth therefore impower the said Wiltam Clarke to retaine the said Indian, Gorge Partrich, as his servant during the said tearme aforsaid, whoe is to find his said seruant with meat, drink, and apparrell, sutable for him, and doe heerby order and require the said Indian, Gorge, to doe his master, M<sup>r</sup> William Clarke, and his assignes, true and faithfull service, and his lawfull comānds euery where to doe, and from his said masters service not to absent himselfe by night nor day without lycence from his said master the whole tearm aforsaid.

[\*87.]  
9 March.

\*Elizabeth Eldrich, widdow, and Nicholas Eldrich, plantor, of Manna-moiett, in the jurisdiction of New Plymouth, in New England in America, doe acknowledge ourselues to stand bound, oblidged vnto the Gou<sup>r</sup> and Court of Plymouth, in the penall sume of three hundred pounds, for the payment wherof well and truely to be, wee bind ourselues, our heires and executors, joyntly and seuerally, feirmly by these p<sup>s</sup>ents. Sealed and giuen this 9<sup>th</sup> day of March, 16<sup>83</sup>.

The condition of the above written obligation is such, that wheras the above bounden Elizabeth Eldrich and Nicholas Eldrich hath obtained letters of adminnistration to adminnester on the estate of Robert Eldrich, deceased ; if, therefore, the said Elizabeth Eldrich and Nicholas Eldrich shall and doe pay all such debts and legacyes as are due and owing from the said estate, and keep a faire account of their adminnistration, & be reddey to deliuer the said account when by the said Court therunto required, and keep harmles and vndamnified the said Gou<sup>r</sup> and Court from all damages that may acrew unto them, or either of them, by their said adminnistration, then the said obligation to be void and of none effect, or otherwise to remaine in full force, strength, and vertue.

Gorge Russell, of Duxburrow, being p<sup>s</sup>ented for neglecting the worshipping of God on the Lords day, promising reformation, is for the p<sup>s</sup>ent released ; but incase hee doe not reforme, then hee remaines lyable to punishment for this and that alsoe.

\*March 20, 1683. I, the said Thomas Chimery, m<sup>r</sup> of the ketch John Adventerer, M<sup>r</sup> Michell Shate mate, in behalfe of ourselues and companie, doe heerby protest against both wind and sea, by which wee haue sustained great damage by losse of mast, and what to the cargoe wee know not, as by evidence doth appeer.

MICAELL SHEWELL,  
NICHOLAS BOOE,  
ROBERT BELL,  
ROBERT PITTEY.

These men whose names are above mensioned, comeing before mee the 26 of March, 1683, did witnes vpon their oath to the truth of the protest above written.

WILLIAM BRADFORD, Deputy Gou<sup>r</sup>  
of New Plymouth Collonie.

Dated att New Plymouth, the 26 of March, 1683.

1682-3.

9 March.  
HINCKLEY,  
GOU<sup>r</sup>.  
PART I.

[\*88.]  
20 March.

1683. *\*Att the Court of Election holden att Plymouth, for the Jurisdiction  
of New Plymouth, the sixt of June, 1683.*

6 June.

HINCKLEY,  
Gov<sup>r</sup>.  
PART I.  
[\*89.]

BEFORE Thomas Hinckley, Esq<sup>r</sup>, Gov<sup>r</sup>, James Browne,  
Wiltam Bradford, Esq<sup>r</sup>, Deputie Gov<sup>r</sup>, Daniell Smith,  
John Aldin, Barnabas Laythorpe, and  
John Freeman, John Thacher,  
Assistants, &c.

THOMAS HINCKLEY, ESQ<sup>R</sup>, was chosen Gov<sup>r</sup>, and sworne.  
Wiltam Bradford, Esq<sup>r</sup>, was chosen Deputie Gov<sup>r</sup>, and sworne.

John Aldin,	} were chosen Assistants, and sworne, except M <sup>r</sup> James Browne, whoe refuseth to serue.
John Freeman,	
James Browne,	
Daniell Smith,	
Barnabas Laythorpe, and	
John Thacher,	

The Gov<sup>r</sup> and Deputy Gov<sup>r</sup> were chosen Co<sup>m</sup>missioners, and M<sup>r</sup> Daniell Smith is the next in nomination.

Major Wiltam Bradford was chosen Treasurer, and sworne.

The Deputies of the severall Townes.

Leif <sup>t</sup> Ephraim Morton,	Cap <sup>t</sup> Joseph Laythorpe,
Joseph Warren,	Samuell Allin,
Cap <sup>t</sup> ‡Miles‡   Josiah   Standish,	Cap <sup>t</sup> Peter Hunt,
Ensigne Tracye,	Leif <sup>t</sup> Nicholas Pecke,
M <sup>r</sup> John Cushen,	Leif <sup>t</sup> Thomas Haward,
Samuell Clapp,	Ensigne Banges,
Thomas Tupper,	Ensigne John Haward,
Stephen Skiffe,	Cap <sup>t</sup> Sparrow,
Ensigne Thomas Leanard,	John Cooke,
John Hathwey,	Hugh Cole,
M <sup>r</sup> John Miller,	John Thompson,
M <sup>r</sup> Jeremiah Howes,	Henery Head,
Cap <sup>t</sup> Nathaniell Thomas,	Cap <sup>t</sup> Benjamin Church.
Serjeant Samuell Sprague,	

## The Grand Enquest.

1683.

6 June.  
HINCKLEY,  
Gov<sup>r</sup>.  
PART I.

Wiltam Sabine,	Simon Rouse,
Andrew Ringe,	M <sup>r</sup> Jeremiah Child,
Dauid Aldin,	Edward Vobes,
Isacke Cushman,	Micaell Foard,
Samuell Hunt,	Seth Arnold,
Suball Dimake,	Joseph French,
Edward Lewis,	Zacheryah Padducke,
Samuell Newman,	John Crowell,
Simon Rouse,	Joseph Siluester,
Edmond Freeman,	John Gibbs,
Henery Hodgis,	Obadiah Eedye,
John Otis, Seni <sup>r</sup> ,	Jabez Gorum,
John Freeman,	Wiltam Earle.

## \*The Constables of the seuerall Townes.

[\*90.]

John Bryant, son of	Enock Hunt,
Steuen Bryant, sworn,	Samull Smith,
Josiah Holmes,	Elihow Brett, sworn,
Samuell Little,	Mellatiah Laythorp,
Thomas Hieland, sworn,	Job Winslow,
Richard Dwelly, Seni <sup>r</sup> ,	M <sup>r</sup> James Brown, Juni <sup>r</sup> ,
Elisha Bourne,	Wiltam Macomber,
Samuell Hall, Seni <sup>r</sup> ,	Wiltam Briggs,
John Smith, Juni <sup>r</sup> ,	Wiltam Nicarson,
Thomas Baxter,	Robert Nicarson,
Samuell Hall,	Hopstill Besbey, one of the
David Wood, of Middel-	constables of Marshfeild,
berry, sworn,	sworne.
M <sup>r</sup> Nathaniell Paine,	

## Celect Men.

Leift Morton,	} sworn.	M <sup>r</sup> Edmond Freeman, Seni <sup>r</sup> ,	} these took the oath.
Wiltam Harlow,		Steuen Skiffe, and	
Wiltam Crow,		John Blackwell,	
Cap <sup>t</sup> Standish,	} sworn.	Wiltam Harvey,	
Ensigne Tracye, and		Gorge Macye,	
Benjamin Bartlett,		John Hathwey,	

1683.

6 June.  
HINCKLEY,  
Gov<sup>r</sup>.  
PART I.

Thomas Leanard,	Leift Pecke,
Walter Dean,	Gilbert Brookes,
M <sup>r</sup> Miller,	Cap <sup>t</sup> Sparrow,
M <sup>r</sup> Hawes,	Mark Snow,
Edward Sturgis,	John Doan,
Joseph Howes,	Cap <sup>t</sup> Luther,
Jeremiah Howes,	Obadia Bowin, and
Cap <sup>t</sup> Laythorp,	Cap <sup>t</sup> John Browne,
Ensigne Howland,	Cap <sup>t</sup> Richmond,
Samuell Allin,	Joseph Church,
Cap <sup>t</sup> Thomas,	Wiltam Southworth,
Leift Eames,	John Cooke,
John Bourne,	John Russell, and
Cap <sup>t</sup> Hunt,	Ar <sup>t</sup> er Hathewey.

Scittuate :

These took the oath of celect men.	{	M <sup>r</sup> John Cushen,
		Samuell Clapp,
		Jeremiah Hatch.

[\*91.] \*This Court, Cap<sup>t</sup> Richmond, of Little Compton, and John Bartlett, of Rehoboth, took the oath of fidelitie to this goūment.

As an adition to a former order graunted by the Court to John Rogers, of Bristoll, this Court haue graunted vnto him liberty to sell wine and rum by retaile there.

John Vinall, vpon consideration, is freed from training.

Att this Court, an Indian named J<sup>e</sup>peth Peter, haueing bin sometime in durance, was p<sup>r</sup>sented before the Court for stealing thirteen or fourteen pound in mony and a p<sup>r</sup>te of a rundlett of liquor from Robert Parker, of Barnstable, on the Lords day, being alsoe convicted of acts of like nature rendering him a comōn theife and incorrigable, is centanced by the Court to be sold out of the country ; and the charges of his imprisonment, &c, being defrayed, the resedew of prise to be deliuered to the said Robert Parker.

This Court haue graunted vnto hafe a dozen Indians, approued to be sober and of good conversation, by the celect men of the towne of Bristoll, to haue, each of them, a gun, and to keep them vntill such time as authoritie shall see reason to require them to bringe them in to those that they shall appoint to receiue them with all convenient speed ; and alsoe, such Indians are prohibited by the Court to lend any such guns to any other Indians.

This Court haue giuen and graunted vnto the towne of Plymouth a smale



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peece of vpland lying on the southerly side of the Great Street in Plymouth, a little about the country house, to erect their new meeting house thereon, viz<sup>d</sup>, all that small parcel of land which was the countryes there.

This Court hath appointed and empowered Leiff Ephraim Morton to act in all cases within the township of Plymouth for the suppressing and punishing of any person or persons for any criminal offences, soe far forth as is proper to the office of any magistrate out of sessions; and in soe acting, this shalbe his sufficient warrant.

In answer vnto the within written petition, the Court orders, that the 21 James, cap<sup>t</sup> 16, shalbe noe barr to the petitioner his prosecution of his said action, nor any other person in like case, vntill the said statute is published as the law of this collonie; vnto which the Court will speedily advise themselves, as looking vpon it very suteable for vs, being first published.

This repealed.  
This was  
Robert Stan-  
fords suite.

In reference to Goodwife Sprague and her son, John Sprague, about some small parcels of land, they are come to an agreement before the Court, viz<sup>d</sup>: that the said John Sprague taketh vp and is contented with the land which was formerly his grand father Spragues, according as it was formerly bounded, and a small parcel of land which was formerly his grand father Bassetts, bounded by a white oake tree standing by a stone, a little westerly of the widow Spragues dwelling house, and soe ranging by a square line downe to the creike and vp to the highway; and the said widow Sprague doth giue her thirds of the profits of said lands to her son John during her marriage.

William Perry, in reference vnto his lannes, haueing bin a poore souldier in our late warr & wounded, his wounds haueing lately broken out, and hath putt to much paine & charge, this Court allows him fifty shillings.

This Court doth order, that Swansey and Middlbery shall chose some for officers to lead their milletary companies and instruct them in marshall discipline, and that orders to each of those townes to send such to the Court as they shall see cause to choose.

\*This Court, taking notice of the neglect of some townes and milletary companies, in not choosing of milletary commaunders according to order of Court, when they haue bin required thereto by warrant from the president of the counsell of warr, this Court therefore orders, that if any towne and milletary companie in the collonie shall neglect to choose milletary commaunder or commaunders, which they shalbe required according to former order of the Court to choose by warrant from the president of the counsell of warr, that the counsell of warr shall appoint such commissioners, officer, & officers, in such townes and companies as they shall judge meet and necessary.

[\*92.]

That the poor may be provided for as necessity requireth, this Court

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This was don  
by the Generall  
Court.

This repealed  
and otherwise  
ordered.

ordereth that the select men in each towne shall take care and see that the poor in their respective townes be provided for, and are hereby impowered to relieue and provide for them, according as necessity in their discretion doth require, and the towne shall defray the charge thereof.

On the petition and complaint of Humphery Johnson, of much wrong done him by the Scittuate men in denying him his just right in his share of the commons or other lands in Scittuate, that there is a stopp put to his proceedings in a due course of law for the obtaining his just rights (as hee saith) by some acts and orders of Court heertofore made, this Court declares that noe such acte or order of Court shalbe soe interpreted as to be any barr to hinder justice from takeing place in a due course of law for the obtaining of any just rights which doth or may manifestly appeer to be due and belonging to him, or any other man in like case.

9 June

The Court of Assistants, assembled att Plymouth the 9<sup>th</sup> of June, 1683, declare, concerning the particular acte in the within mencioned writing, acted att the towne meeting held att Scittuate the 5<sup>th</sup> day of Aprill, 1683, presented to this Courts approbation, the Court, on consideration of said particulars, declare that att present they see noe reason to disapprove of what the said towne in that particular haue agreed vnto.

M<sup>r</sup> Thacher and Cap<sup>t</sup> Laythorp aded to the committee for the revising of the lawes.

Isacke Cushman, Jabez Gorum, Obadiah Eedey tooke the freemans oath this Court.

John Vinall was freed from training.

M<sup>r</sup> Smith, M<sup>r</sup> Thacher, Cap<sup>t</sup> Laythorp, Cap<sup>t</sup> Thomas, and Leiftenant Morton tooke the Treasurers account.

In answere vnto the petition of M<sup>r</sup> Isacke Robinson, requesting so<sup>m</sup>e supply of land for his accomodation, for sundry reasons in the said petition expressed, the Court graunted vnto the said Isacke Robinson, that hee may looke out and make inquiry after land, that if any may be found that will not be prejudiciall vnto others, that hee shall haue accomodation in that respect.

Surveyors of the Highways.

	}	Serjeant Tinkham,
Plymouth, . . . . .		Thomas Faunce,
	}	Jonathan Pratt,
		Elkanan Watson.
Duxburrow, . . . . .		^ ^

Scittuate, . . . . .	{	Wiltam Randall, Seni <sup>r</sup> ,
	{	Thomas Kinge, Juni <sup>r</sup> ,
	{	John Sutton, Seni <sup>r</sup> .
Sandwich, . . . . .	{	Wiltam Swift, Seni <sup>r</sup> ,
	{	Caleb Allin.
Taunton, . . . . .	{	M <sup>r</sup> Gyles Gilbert,
	{	John Linkoln, Seni <sup>r</sup> .
Yarmouth, . . . . .	{	John Whelden,
	{	Samuell Howes.
Barnstā, . . . . .	{	Wiltam Thropp,
	{	Jabez Lumbert.
Marfeild, . . . . .	{	Ephraim Little,
	{	John Rouse, Juni <sup>r</sup> .
Rehoboth, . . . . .	{	John Titus, Seni <sup>r</sup> ,
	{	John Paggett,
	{	Thomas Man.
Bridgwater, . . . . .	^	^
Eastham, . . . . .	{	Samuell Freeman,
	{	Samuell Knowles.
Swansey, . . . . .	{	John Wheaton,
	{	John West,
	{	Gorg Webb.
Little Compton, . . . . .	{	John Irish,
	{	Wiltam Browning.
Middleberry, . . . . .	{	Dauid Thomas, Juni <sup>r</sup> ,
	{	Joseph Vaughan.
Bristol, . . . . .	^	^

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\*Articles of Agreement made between the Towne of New Plymouth on the one pty, and Charles Stockbridge, of Scittuate, in the aforesaid Plymouth Collonie on the other pty, concerning a Corn Mill, as followeth ;

[\*95.]

Wheras the towne of Plymouth haue bin many yeares much damnified for want of the right management of thire corne mill, and haueing by theire agents made suite to the said Charles Stockbridge to come and purchase the said mill, and come and build it as hee shall see cause, for the good and benefitt of the said towne, and himselfe, the said Charles Stockbridge, comeing to Plymouth, on the accounte abouesaid, the said towne of Plymouth haue, for his incuragment, heerby graunted vnto the said Charles Stockbridge the whole vse of theire brooke or streame, comonly called the towne brooke,

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wheron the old mill now standeth ; to him, the said Charles Stockbridge, his heires and assignes, for the vse of a corne mill, or mills, as hee or they shall see meet, and for noe other vse, noe more than any other townseman ; which said brooke and privildges said Charles Stockbridge, his heires or assignes, shall haue soe long as hee or they shall maintaine a sufficient corn mill and miller, to grind the townes corn well and honestly for one sixteenth pte of a bushell of corne or graine which shalbe brought vnto the said mill in a fitt capassetie to grind ; and for the further incurragement of said Charlse Stockbridge heerin, the said towne haue paied vnto him, said Stockbridge, eleuen pounds in siluer towards the raising of said mill dame, and making a wast water course for the herrings to pass ouer the dam into the pond ; and the said towne by their agents, whose names are heervnto subscribed, doe heerby engage to and with the said Charles Stockbridge, and his heires and assignes, to be att halfe the charge of maintaining the said water course successiuey ; namely, all that pte of it that is below the said mill dam. In confeirmation of which articles of agreement abouesaid, the agents for the said towne of Plymouth, and the said Charles Stockbridge, haue put to their hands this first of May, 1683.

EPHRAIM MORTON, Senir.  
JOSEPH WARREN,  
JOSEPH BARTLETT,  
CHARLES STOCKBRIDGE.

Signed in p<sup>s</sup>ence of  
Isacke Little,  
John Hathway

July.  
[\*96.]

\*1683, July. M<sup>r</sup> John Thompson, Mr. Wiltam Crow, and John Barker, att the Court of his ma<sup>ty</sup> held att Plymouth, the sixt of March, 1683, were appointed to be adminnestrators of the estate of M<sup>r</sup> Francis Combe, late deceased ; the said adminnestrators appeering att this p<sup>s</sup>ent Court, July, 1683, and then and there giueing vp their accomptes to the Court respecting their adminnestration, and desired to be discharged from the same. The Court, being satisfied in their accompt, haue by these p<sup>s</sup>ents discharged them from the said adminnestration.

And John Richmond, of Taunton, and Mistris Mary Combe, are admitted and appointed by the Court to be adminnestrators on the estate of M<sup>r</sup> Francis Combe, and they haue receiued of the former adminnestrators the accomptes of the said estate.

In answere vnto the peñion of Nathaniel Hall, the Court allowes him five pound in respect vnto his contenedwed lamenes, &c.

This Court doth order the inhabitants of Pocasset and Puncateesett to be vnder the constablericke of Little Compton.

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This Court orders that the inhabitants of the freemens land, att the Fall Riuer, shalbe a townshipp, and haue a constable and grandjurymen, and be henceforth called by the name of Freetowne.

This Court haue ordered, that the law prohibiting the Indians att Court times to come to Plymouth, shalbe reuiued and put in execution forthwith.

Thomas Wilmouth, of Rehoboth, is allowed, approued, and appointed by the Court to be ensigne of the milletary companie of Rehoboth aforesaid.

In reference vnto John Harmon, an impotent man, concerning whom there hath bin much debate between the townes of Plymouth and Taunton, which of the said townes should maintaine him, the Court in the end haue ordered that Plymouth shall entertaine him vntill their yeer wilbe expired, which wilbe in October next after the date heerof, and that then the towne of Taunton shall receiue and entertaine him for the space of one whole yeer, and Plymouth then to take him one whole yeer ; and soe to be kept from yeer to yeer, one yeer in Plymouth and the other in Taunton, successiuey ; and that if it can be found att any time to be just and equall that any other towne or townes should keep him, that it shalbe required of them alsoe to doe their p̄te therin.

Wheras Awashunkes, and her daughter Bettey, and her son Peter, were brought to this Court on suspition of their haueing a hand in the murdering of a young child the said Bettey had, this Court, on examination of the case, the said Awashunkes & her said daughter sollemly affeirming the said child to be dead before it was born, and nothing as yett appeering to the contrary vnto the Court, they therfore were dismissed ; yett in regard to their ill carriage in the management of that affaire concerning a woman to be whipt for reporting said Bettey was with child, when soe it afterward appeared to be really soe, the Court therfore order, that the two Indian squaes, that were appointed to serch the said Bettey, affeirming that shee was not with child, wherby Sames wife was whipt for the report aforesaid, shall pay, each of them, ten shillings in good currant pay to the said Sames squaw ; and the said Bettey to pay to her the sume of twenty shillings in good pay ; and each of the three, viz<sup>t</sup>, Awashunkes, Bettey, and Peter, twenty shillings a peece towards the charge of their bringing and imprisonment ; and the said Bettey to be whipt by the Indians att Saconett, for her fornication ; and the Indians there to doe what they can to find out any further grounds of suspition of said suspected murder, and if there appeer further just grounds of such a fact committed by any of them, them to ceure and send to the English authoritie, to be dealt with all according to law.

\*Wheras Jonathan Dunham, allies Shingleterry, hath longe absented

[\*97.]

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himselfe from his wife and family, tho advised and warned by authoritie to repaire to them, and for some considerable time hath bine wandering about from place to place as a vagabond in this collonie, alsoe deseminating his corrupt priiiples, and drawing away another mans wife, following him vp and downe against her husbands consent; and att last hee meeting with and accompaing a younge woman called Mary Rosse, led by inthewsīsticall power, hee said hee must doe whatt shee bad him, and according did, both of them, on her motion, att the house of John Irish, att Little Compton, kill his dogg, against the declared will of the said Irish; and although hee put them out of his house, yett they would goe in againe; and according to theire anticke trickes and foolish powers, made a fier in the said house, and threw the dogg vpon it, and shott of a gun seuerall times, and burnt some other thinges in the house, to the hazard of burning of his house and younge children, keeping the dores and not opening them to the said John Irish when hee come with some of his naighbours to rescue the same; to the disturbance of his ma<sup>ties</sup> peace comāunded, and aganst his lawes.

This Court centanced the said Jonathan Dunham to be publicly whipt att the post, and required him to depart forth with out of this collonie, which if hee delay to doe, hee shalbe tooke vp by the constable where hee doth vnnesserarily stay, and be againe whipt and sent out of the collonie; and soe serued as oft as hee shall vnnesserarily returne into it to deseminate his corrupt principles.

And the said Mary Rosse, for her vnciuell and outrageous railing words and carriages to the Deputie Gou<sup>r</sup>, and afterwards before the whole Court, superaded to her former anticke actings as aforesaid, is centanced to be whipt and conveyed from constable to constable out of this gou<sup>r</sup>ment towards Boston, where her mother dwells.

The law prohibiting the Indians att Court times to come to Plymouth is revined.

This was acted  
by the Generall  
Court.

In answare to M<sup>r</sup> Johnson petition, this Court judgeth it is not proper to them to determine the title of land; yett, inasmuch as hee aledgeth that Scittuate men hane don him much wrong in deneying him his just right in the late vndevided lands of Scittuate, and that by reason of sundry actes or orders of Court made since and about that controuersye, which puts a barr or stopp, as hee saith, to his proceeding in a due course of law for his obtaining his said just rights, this Court therfore declares that noe order nor acte of Court made respecting that controuersy shalbe improued, or be of any force to hinder justice from taking place in a due course of law for the obtaining of any just right which doth or may legally appear to be due and belonging to

him or any other man in like case, but shalbe layed by and be of noe vse either for or against any pson or psons whatsoeuer concerning the said p̄mises.

This Court impowers and authoriseth Zachery Eedy to be constable of the ward of Showamett, and to act within that ward as in euery respect as an other constable might doe in his ward in any matter proper vnto the propriators of Showamett respecting them att that place.

William Connett, by his attorney, Jonathan Morey, in oppen Court declared that the said Wiltam Conett layes claime to all the land between Sepecan, allies called Cohassett Riuer, and the riuer called Wonconquake Riuer, and to Plymoth's westerly tree att Agawaame, and hath made vse of a p̄te therof, and doth disclaime and defie the title of euery these men, called the purchasers of Sepecan, vnto any of the lands aboue claimed by the said Wiltam Conett.

\*In answare to the request and petition of John Cooke, for some accomodation of land, in reference vnto seuerall former petitions to the like effect, this Court doth graunt and giue him liberty, that if vpon serch and inquiry, hee can heare of any that is vndesposed of or not graunted to others, that then hee shall haue accomodation according to the said former petitions or graunts.

It is enacted by the Court, that all actions of debt proper to any of the select courts where the plaintiffe liues in one towne, and the defendant in an other, shall be tryed and determined in either of the said townes, where the plaintiffe pleaseth; and all actions proper to any of the select courts against strangers & non resedents, and p̄sons liueing out of townshipes, shalbe tryed in any of the select courts, where the plaintiffe shall choose; and the select men shall haue power to graunt summons or attachments to the p̄tyes or constables of townes in the said cases, att any plaintiffes request, and to graunt executions, as in other cases in their owne townes they by law may doe.

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[\*98.]

A Court order.

*Att the Court of his Ma<sup>tie</sup> held att Plymouth the sixt of Nouember, 1683.* 6 November.

**E**LDAD ATTWOOD for turbulent carriages to the constable of Eastham, is fined ten shillings.

John Sprague and his wife, for fornication after contract, fined fivue pound.

Richard Man and his wife, for comitting fornication, fined seauen pound and ten shillings.

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Imdah, an Indian, for theuery att diuers places att seuerall times, and goeing on therein in an incorrigable way, is cencanted by the Court to be sent out of the country, and incase hee doe att any time come any more into this collonie, that hee shalbe taken and ymediately brand marked, soe as hee may therby be knowne.

Richard Dwelley, for coming drunke into the Court, and otherwise behaueing himselfe vnseemly, was fined.

Thomas Smith, of Eastham, is cencanted by the Court to pay twenty shillings to the countrey, and twenty shillings to M<sup>r</sup> Richard Rich, for stricking and abusing the said gentleman both in word and deed.

Samuell Mayo, Juni<sup>r</sup>, for striking of Barnabas Vixon, on the Lords day, is fined twenty five shillings.

[\*99.] \*To the Cheife Marshall of the Collonie of New Plymouth, or in his absence to the Constable of Plymouth, gre<sup>t</sup>, &c.

Wheras John Rogers, the constable for the yeer 1681, that by reason of straightnes of time hee could not gett in all his rate, which was orderly made & comitted to him to gather, & that sundry psons concerned in the said rate had refused or neglected to pay their ptes therof, and desire the benefite of the law in that case prouided, viz<sup>t</sup>, that they might haue a warrant directed to the constable in the yeer 1682, to assist him in the leuying by destresse on the goods and estates or pson (according to law in that case prouided) of such as refused or neglected to pay their ptes of the said rate, to make satisfaction as the matter required, which was accordingly graunted as by said warrant bearing the 19<sup>th</sup> of August, 1682, and signed by Thomas Hinckley, Gou<sup>r</sup>, doth & may appeer, reference thervnto being had; in psuance of which warrant, Encrease Robinson, the then constable of said Bristoll, did, as hee aledgeth, demaund of M<sup>r</sup> John Saffin, of Boston, 12 : 16 : 01, being his pte of the said rate, as hee made appeer to him by shewing him, the said rate bearing date 22 February, 1682, signed by Nathaniel Byfeild, Benjamine Church, John Carey. But the said John Saffin refused to pay his said pte of that rate, or to discouer any estate of his that the said constable might make destresse vpon for payment of said pte of the rate, but tendered rather *tendered* his body, wherby the said constable was nessesitated (as hee alledgeth) to make destresse on his pson, as by the abouesaid warrant and law in that case is required of him; whervpon the said Saffin complained against the said Encrease Robinson for leuying or making a distresse wrongfully vpon the pson of said Saffin, therby vulawfully hindering or detayning him from his freedom and lawfull liberty vnder y<sup>e</sup> pretence of a warrant directed to the



constable of New Bristoll, dated 19<sup>th</sup> of August, 1682, and procecutad a suite against the said Robinson for the same by a repleuion which hee had obtained, bearing date the sixt day of Aprill, 1683, whervnto reference being had more att large appeereth; which, after the pleas heard on both sides, was comitted to the jury, whoe found for the defendant the cost of the suite, as by their verdict doth appeer; whervpon the defendant that according to law & justice, his prisoner, the said John Saffin, might be deliuered and kept in safe costody vntill hee hath satisfied the said sume, with the cost.

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These are therefore in his maties name to will and require you, or either of you, psently on receipt heerof, to attach the body of the said John Saffin, and him deliuer to the keeper of his maties gayle at Plymouth, whoe is in his maties name heerby required him to receiue and safely keep vntill hee shall satisfy the said sume of twelue pound sixteen shillings and a peny, and the sume of forty shillings for the cost, with your owne fees, or otherwise deliuered thence by lawfull authority; wherof fayle not, as you, and either of you, will answare the contrary att your prill.

THOMAS HINCKLEY, Gou<sup>R</sup>.

Dated att Plymouth the 9<sup>th</sup> of July, 1683.

\*To the Marshall of his Ma<sup>ties</sup> Collonie of New Plymouth, or in his absence [ \*100. ]  
to the Constable of New Plymouth, greef, &c.

Whereas Mr John Saffin, of Boston, did att this Court, by a repleuing, procecute an action against Encrease Robinson, of Bristoll, for his wrongfull seizing and detaining of the pson of the said John Saffin, vnder pretence of his office as constable, for non payment of a rate of ten pound and odd mony, as by the said repleuion, bearing date the 6 day of Aprill, ann<sup>o</sup> 1683, whervnto reference being had, doth and may more att large appeer; and forasmuch as in the said procecutation, the said John Saffin not making good his said charge, the jury found for the defendant, as by the juryes verdict in that case (on record) doth and may appeer, and the said Encrease Robinson requeasting this Court to haue the pson of the said John Saffin returned into safe costody, to be kept in safe durance vntill hee shall haue satisfied the said rate, with his damages and costs allowed in attending the said action, as the law requires, which accordingly was graunted to him by the said Court.

These are therefore in his maties name to will and require, or either of you, psently, on receipt heerof, to attach the pson of the said John Saffin, and him deliuer vnto the keeper of his said maties goale in Plymouth aforesaid, whoe is heerby required in his said maties name to receiue him, the said John Saffin, and him safely keep vntill hee shall satisfy the aforesaid sum, or be thence

1683. deliuered by lawfull authoritie to law ; wherof fayle not, as you, or either of you, will answare the contrary att your prill.

6 November.

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Gov<sup>r</sup>.

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THOMAS HINCKLEY, Gour.

Plymouth, the 9<sup>th</sup> of July, 1683.

The sume to be satisfied is 10 : 04 : 02 mentioned in the rate bill aboue-said, and the bill of cost allowed therevpon to the said is 1<sup>u</sup> : 09 : 06, and such charges as shall nessesarily for the non payment of said sumes of eleuen pound thirteen and 8<sup>d</sup>, incase any such charges shall arise to obtaine the said sume.

Plymouth, dated the 9<sup>th</sup> of July, 1683.

[Pages \*102, \*104, \*105, and \*106, are recorded out of place, and in an unknown hand.]

1682.

June.

[\*102.]

\*New Plymouth Colony Debter.

×84 <sup>tt</sup> of biskett to Generall Cudworth, . . . . .	00 : 18 : 00
× gallions of wine to ditto, . . . . .	00 : 08 : 00
× bagg & runlett not returned, . . . . .	00 : 00 : 00
× sheep deliuered by John Sanford by × of Co <sup>m</sup> is- sary Church, vnder y <sup>e</sup> souldiers, × came ouer from	} 04 : 11 : 00
Mount Hope, . . . . .	
× 1 <sup>c</sup> 3 <sup>a</sup> 16 pound of biskett deliued to John Abbitt by Generall Cudworths order, . . . . .	} 02 : 10 : 00
	08 : 07 : 00

Sign<sup>d</sup> by PELEG SANFORD.

The aboue written accompt is alowed by the Court held in June, 1628.

[\*104.] \*Peleg Sanford, Esq<sup>r</sup>, his Account, appointed to be × rded at June Court, 1682.

Rhode Island, anno 1675.

General Josiah Winslows Debit<sup>r</sup>.

× ement of twenty eaight wounded men, from the × Desember vntell the 25 <sup>th</sup> day, . . . . .	} 004 : 04 : 0
× Almy, for 244 <sup>tt</sup> of mutton, . . . . .	
× Almy, 10 yds. of duffles for the wounded, . . . . .	003 : 01 : 0
× Almy, 10 yds. of duffles for the wounded, . . . . .	003 : 00 : 0
× Almy, 2 <sup>1</sup> / <sub>2</sub> cord of wood for ditto, . . . . .	001 : 00 : 0
× ne firkin of butter sent y <sup>r</sup> hon <sup>r</sup> by John Cobly con- × ing neat 66 <sup>tt</sup> at 6 <sup>d</sup> p <sup>r</sup> <sup>tt</sup> , & the firkin 18 <sup>d</sup> , . . . . .	} 001 : 14 : 6
× 451 <sup>1</sup> / <sub>2</sub> <sup>tt</sup> of mutton deliuered vnto Stretton Lowell & other tenders of the wounded men at the house of	
M <sup>r</sup> Brinton & Robert Carr, at . . . . .	} 005 : 12 : 9

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To 12 $\text{H}$ of candles & 10 $\text{H}$ of butter to ditto houses,	000 : 12 : 10
To 6 bushels of Indian corn to ditto houses, . . . . .	001 : 04 : 0
To 2 gallon of mallassas to ditto, . . . . .	000 : 05 : 0
To 102 $\text{H}$ of salt beefe to ditto, & 7 $\text{H}$ of porke, . . . . .	001 : 07 : 6
To 16½ cord of wood, at 8 <sup>s</sup> p cord, & 4 load of wood,	007 : 16 : 0
To 3 quarts of rum to Lowell, . . . . .	000 : 03 : 9
To 15 $\text{H}$ of flax, with the 6 $\text{H}$ sent to the garison, . . . . .	000 : 15 : 0
To Cap <sup>t</sup> Green, for bear to the wounded, . . . . .	000 : 02 : 6
To cash for the buriall of Linkhorn, Harriss, Summers- by, & oñ more, . . . . .	} 001 : 10 : 0
To 74 $\text{H}$ of sugar amond the wounded, . . . . .	
To 28½ gallons of rum to the docter for the use of the wounded men, . . . . .	} 007 : 03 : 1½
To 2 fat sheep to Docter Hawkins for the wounded that went in the vessell with him, . . . . .	
To 8 yds. of duffl <sup>s</sup> to Serg <sup>tt</sup> Witherly, Ja <sup>m</sup> s Bell, & other Taunton men, that came wounded to my house Desemb <sup>r</sup> 24, . . . . .	} 002 : 08 : 0
To cash to Ja <sup>m</sup> s Bell to bear his charges home, . . . . .	
To Sergent Witherell, Ja <sup>m</sup> s Bell, & White, for their diatt, lodging, & attendance, two of them one month, & one of them thre weeks, at 8 <sup>s</sup> p weeke,	} 004 : 08 : 0
To Left Sauage, Docter Cuttler, & their men, that tended them, being in all ^ from the 24 of Desemb <sup>r</sup> vntell the ^ day of February, at 8 <sup>s</sup> p weeke, besids soldiars that dieted with them when come ouer from the garrison, . . . . .	
To Docter Hawkins, diet, & lodging about a month,	001 : 12 : 0
To Left V <sup>p</sup> ham, from the 24 Desemb <sup>r</sup> vntell the 14 day of March, & his kinsman for diet & lodging, at 8 <sup>s</sup> a weeke a peece ; his sister was also a consid- erable part of the time, . . . . .	} 009 : 02 : 0
To ditto V <sup>p</sup> ham, 1½ gallons of rum, & 15 $\text{H}$ of mut- ton, when went away, . . . . .	
To account of the estate of William Brenton, Esq <sup>r</sup> , for hire of a roome from the 24 of Desemb <sup>r</sup> vnto the 17 of October, 76, the day that Serja <sup>n</sup> Wither- ell went out of it, at 5 <sup>u</sup> p yeare, is . . . . .	} 004 : 01 : 7½

1682.

June.  
PART I.

To ditto Witherly for sundryes, as p his account in this folio vnder written, . . . . .	}	003 : 12 : 11
To damage sustained in my beding & other house- hold stuffe, with things p̄loined by incomers, which here charge twenty pounds att p̄sent, for thought the damage be far more, . . . . .		

---

 103 : 9 : 9
Dated in New Port, on Rhode Island, the 26<sup>th</sup> day of January, 167<sup>9</sup>.

[\*105.]

\*Rhode Island, Anno Domon x .

p Contra, Credittor.

1675. } By one Indian man, & one Indian womax,	x	x
Desemb <sup>r</sup> . } bought of Left Allmy for . . . . .	x	x
By Walter Newbery, p ditto, order, . . . . .	x	x
By John Green, p ditto, order, . . . . .	x	x
March 12. To 38 $\text{H}$ of bullets from Cap <sup>t</sup> Remington,	x	x
x of Cap <sup>t</sup> Golden, . . . . .	x	x
By one barrill, with some powder in it, receued	x	x
Ditto, Rimington, by ditto, Golden, wayed with the	x	x
& bay 67 $\text{H}$ ; judg the barrill	x	x
& barill conteĩng al	x	x
30 $\text{H}$ , so then there may be neat powder 37, at 12 <sup>d</sup>	x	x
p $\text{H}$ . . . . .	x	x
By 6 <sup>c</sup> : 1 : 12 of biskett, taken out of the biskett that came from Boston, . . . . .	}	x

---

 022 : 09 : 0

Rests due to Peleg Sanford to ballance this account the sum of eaighly one pound & thre pence, currant money of New England, . . . . .	}	081 : 00 : 3

---

 103 : 09 : 9

Erors Exsepted,

PELEG SANFORD.

Major Peleg Sanford, being lame in his hands, subscribed this account as at the foot therof in this maner, this ninth of Desemb<sup>r</sup>, 1679, in p̄sence of witnesses.

WILLIAM TAILOR,  
EPHRAIM SAUAGE.

At the Generall Court held at New Plimouth, June the 6<sup>t</sup>, 1682, this account of M<sup>r</sup> Peleg Sanfords being presented, soe far as it concerns this colony, was allowed, & the Tresurer of this colonye ordered to make payment of the just part or proportion of this colony towards it.

1682.

June.  
PART I.

Testa me, NATH<sup>LL</sup> MORTON, Secretary.

[The following line is in the handwriting of Secretary Morton.]

The before written account is revised, compared, and is exacte.

\* x in y<sup>e</sup> printed laws voted by y<sup>e</sup> Court July, 1682.

[\*106.]

x mo : 3. but if they be or will be married (add) and y<sup>e</sup> case be such x wfully, may then, &c.

x had no attachments, add, or summons, & after the words, against any x bitant in this jurisdiction, adde, or forreigner ; & adde in y<sup>e</sup> close, x making good y<sup>e</sup> damage by y<sup>e</sup> grant or.

x worke dayes warning, & ad, for appearance to answee such presentment.

x de after y<sup>e</sup> words, in his owne person (or giueing vote, vardict, centence in any ciuill case or cause ; also adde in y<sup>e</sup> close (& the Court may chose their guardians before they attaine y<sup>e</sup> age of fourteen yeers.

Cap. 8, in y<sup>e</sup> close of n. 1, adde, and y<sup>e</sup> said sum to be deliuered to y<sup>e</sup> Treasurer ; n. 4, adde in ye close, (And forasmuch as some persons neglect to giue into y<sup>e</sup> towne clerk y<sup>e</sup> day & time of their marriage, whereby much inconvenience ariseth, for preuention wherof it is ordered, that such maiestrate, or other person authorized to ioyn persons together in marriage, shall keep a register of y<sup>e</sup> persons & time of their ioyning together, & present a list therof, & present y<sup>e</sup> same to y<sup>e</sup> Court or towne clerke of y<sup>e</sup> s<sup>d</sup> towne.

Cap. 9, n. 5, read, (& y<sup>e</sup> same certified to y<sup>e</sup> next Court, &c.

[The second part of the sixth volume of Court Orders commences here in the chirography of Secretary Morton.]

†\* *Att the Court held att Plymouth the 5 of March, 1682*, — †

1683.

PART II.

[\*1.]

**J**ONATHAH BLISSE, of Rehoboth, blacksmith, standeth bound vnto this Court in the penall sume of two hundred pound ; for the payment wherof well and truly to be made, I bind mee, my heires, executors, and administrators, feirly by these presents, sealed and giuen thirty one of October, one thousand six hundred eighty three.

The condition of the aboue written obligation is such, that wheras the aboue bounden Jonathan Blisse hath obtained letters of administration of the

1683.

HINCKLEY,  
GOU<sup>r</sup>,  
PART II.

Court to adminnester on the estate of Ephraim Harmer, late deceased, if, therefore, the said Jonathan Blisse shall and doe pay all such debts as are due and owing to any from the said estate, and saue and keep harmles the aboue-said Court from any damage that may acrew vnto them by his said adminnestration, and keep a faire accompt therof, and be in a reddines to giue in an accompt therof when by them required to the said Court; that then the aboue written obligation to be void and of non effect, or otherwise to remaine in full force and vertue.

Know all men by these p̄sents, that I, Isacke Pope, and Seth Pope, both of Dartmouth, in the goũment of New Plymouth, planters, doe heerby acknowledge ourselues heerby to stand bound vnto the Goũ and Court of Plymouth aforesaid in the penall sōme of four hundred pound; for the payment wherof well and truely to be made, wee bind ourselues, our heires, executors, and adminnestrators, joyntly and seuerall, feirmly by these p̄sents, sealed and giuen this second of Nouember, 1683.

The condition of the aboue written obligation is such, that wheras the the abouebounden Isacke Pope and Seth Pope hath obtained letters of adminnestration to adminnester on the estate of Thomas Pope, of Dartmouth aforesaid, late deceased, if, therefore, the said Isack Pope and Seth Pope doe pay all such debts and legacyes, or cause them to be payed, as are due or owing vnto any from the said estate, and keep a faire accompt of their said adminnestration, and be redy to giue in an accompt therof when by them required, and saue and keep harmless the said Goũ and Court therof from any damage that may acrew vnto them by their said adminnestration; that then the abouewritten obligation to be void and of non effect, or otheř to remayne in full force, strength, and vertue.

Memorand: that Joseph Holley, of Sandwich, in the goũment of New Plymouth, in New England, yeoman, appeered, this 17<sup>th</sup> of June, 1681, before mee, Thomas Hinckley, Goũ of the said collonie of New Plymouth, and acknowledged himselfe to owe vnto our soũ lord the Kinge, &c, the sum of 25 pounds of lawfull mony of New England, to be leuied vpon his goods, chattels, or land, for the vse of our said soũ lord the Kinge, incase default be made of the condition heervnto anexed.

The condition of this recognisance is such, that wheras Zachery Alliu, late of Sandwich aforesaid, hath bine convict before mee, by the accusation of sundry Indians, of his trucking, giueing, or procuring for or to sundry Indians, att seuerall times, some quantity of stronge liquors, contrary to the wholesome lawes of this goũment, and hath neglected or refused to cleare himselfe by his oath or pay his fines therby due, if the said Zachery Allin shall make his

personall appeerance att his said ma<sup>ties</sup> Court to be held att Plymouth the first Tuseday in July next, then and there to answere to the p<sup>m</sup>ises, and abide by, p<sup>r</sup>forme, and doe or suffer what by the said Court shall there and then be injoynd to him, & not depart the said Court without lycence; then this p<sup>r</sup>sent recognisance to be voyd & null, or else to abide and remaine in its full force, strength, and vigor.

1683.

HINCKLEY,  
GOU<sup>r</sup>.  
PART II.

JOSEPH HOLLEY.

Recognett, the day and date abouewritten, before mee, predict,

THOMAS HINCKLEY, Go<sup>u</sup>.

Wheras his ma<sup>ties</sup> Court, held att Plymouth in October last, graunted to Zachery Allin abouemencioned, on his request to them, that hee should haue another tryall by a jury sworne to try the issue between our so<sup>u</sup> lord the Kinge and him, these p<sup>r</sup>sents witnes, that the abouesaid Joseph Holley doth acknowledge himselfe bound by recognisance in the same so<sup>m</sup>e as in his abouesaid recognisance is specifyed, on the abouesaid condition, onely the day of appeerance altered to the first Tuseday in March next.

JOSEPH HOLLEY.

Recognitt, this 28<sup>th</sup> day of February, 1681, before me p<sup>r</sup>dict,

THOMAS HINCKLEY, Go<sup>u</sup>.

\*Cap<sup>t</sup> Nathaniel Thomas is appointed by the Court to lay out seuerall p<sup>r</sup>sells of land graunted to William Tubbs & Abraham Peirse, lying att or neare Indian Head Pond.

[\*2.]

This Court doth order M<sup>r</sup> Lathrop and M<sup>r</sup> Thacher to adminnester an oath to M<sup>rs</sup> Mary Hinckley in reference to the will of Abraham Blush, deceased.

*Att the Court of his Ma<sup>tie</sup> held att Plymouth, for the Jurisdiction of New Plymouth, the 5<sup>th</sup> of March, 1683-4.*

5 March.

BEFOR Thomas Hinckley, Esquire, Go<sup>u</sup>,  
William Bradford, Esq<sup>r</sup>, Deputie Go<sup>u</sup>, and  
John Aldin,  
John Freeman,

Daniell Smith,  
Barnabas Laythorp, and  
John Thacher,

Assistants, &amp;c.

1683-4.

5 March.  
HINCKLEY,  
Gov<sup>r</sup>.  
PART II.

IN reference vnto the settlement of the estate of Desire Gorum, of Yarmouth, deceased, amonge the children, it was agreed and determined by Go<sup>d</sup> Hinckley, Majer Bradford, Deputy Go<sup>d</sup>, M<sup>r</sup> Freeman, M<sup>r</sup> Laythorp, and M<sup>r</sup> Thacher, Assistants, alsoe with the mutuall consent of the children then appeering, viz<sup>s</sup>, James Gorum, John Gorum, Joseph Gorum, with the consent, likewise, of the sonnes in law, as followeth : —

That James Gorum haue a dubble portion of the whole estate, debts being first payed out, and all the rest of the children, both sonnes and daughters, to haue an equall portion of the aforesaid estate, that is, John, Joseph, Jabez, and Shuball, Desire, Temporance, Elizabeth, deceased, Marsy, Lidia, and Hannah ; as Elizabeth deceased, wee doe agree and consent that her children shall haue an equall p<sup>te</sup> that did belonge to theire mother ; as to Shuball, the youngest son, wheras there was fifty pound in mony giuen to his mother to bestow vpon him in learning, wherof wee find vpon account a great p<sup>te</sup> of it bestowed on him, yett wee doe consent and agree that hee shall haue forty pound in siluer mony made vp to him when hee cometh to age out of the aforesaid estate, besides his equall p<sup>te</sup>, and alsoe fve pounds of his equall p<sup>te</sup>, which to be in siluer mony, which makes his 40<sup>li</sup> to be 45 pound in mony.

In reference to the settlement of the estate of Samuuell Chandeler, deceased, in as much as the estate is but smale, the Court thought meet to settle the intire estate on the widdow, which was his wife, and haue graunted h<sup>rs</sup> of administration to the said widdow and John Soule, to adminnester on the said estate.

Eres of adminnistration is graunted vnto John Nelson to adminnester on the estate of Martha Nelson, widdow, deceased.

Eres of adminnistration is graunted vnto Wilkam Hoskens to adminnester on the estate of Peter Riffe, deceased.

Know all men by these p<sup>s</sup>ents, that I, Thomas Wood, of Swansey, doe acknowledge my selfe to stand bound heerby vnto the Go<sup>d</sup> and Court of New Plymouth in the penall sume of fifty pound ; for the payment wherof well and truly to be made, I bind mee, my heires, executors, and adminnestrators, feirmly by these p<sup>s</sup>ents. Sealed and giuen this fift of March, 16<sup>83</sup>/<sub>4</sub>.

The condition of the abouewritten obligation is such, that wheras Elizabeth Wheaton hath obtained of the Court h<sup>rs</sup> of adminnistration to adminnester on the estate of Samuuell Wheaton, of Swansey, late deceased, if, therefore, the said Elizabeth Wheaton, widdow, shall pay, or cause to be payed, all such debts and legacies as are due and owing to any from the said estate, soe farr and by equall proportions as the estate will amount vnto, and saue harmles and vndamnified the said Go<sup>d</sup> and Court from any damage that may crew



vnto them by her said adminnestration, and keep a due account therof, and be reddey to giue an account therof to the Court of Plymouth when by them required; that then this obligation to be void and of non effect, or otherwise to remaine in full force, strength, & vertue.

Joseph Barstow is discharged by the Court from keeping an ordinary att the North Riuer.

This Court doth graunt lycence vnto Joseph Siluester to keep an ordinary att the North Riuer for the entertainment of strangers, and to be well prouided for with nessesaryes for theire entertainment, both for them in respect of good diett and lodging, and for theire horses alsoe that hee be fited with good prouender for them; and that hee keep good orders in his house, that hee incur noe just blame through his negligence in that behalfe; and that it shalbe in his liberty to entertaine such in theire owne towne as hee shall see cause, and to keep out others as hee shall see reason.

John Miller, of Yarmouth, gaue notice to the Court of one John Abraham, that is likely to be chargable to the said towne, and hath bine ordeĕ by the said John Miller and the constable of the towne not there to abide, this being the next Court after the said Abraham came into the said towne.

Att this Court, Suball Gorum made choise of his brother, James Gorum, to be his gardian, and the Court approued therof.

John Simmons, son of Moses Simmons, hath made choise of John Soule to be his gardian, and the Court approues.

Samuell Sampson, son of Samuell Sampson, deceased, hath made choise of John Soule to be his gardian, and the Court approues therof.

\*Att this Court, Mistris Dorethy Gray had notice giuen her to appeer att June Court to giue in her account of her psonall estate, and to giue in an account of what shee hath receiued for her children.

These may certify, that John Thompson did declare att the last October Court, that the towne of Middleberry did warn William Green to depart theire towne; and John Thompson and William Nelson appeered this Court, and enformed the same, and yett att this Court hee there remained.

John Bryant, this Court, for being ouertaken with drinke, was fined fife shillings.

William Gifford, for takeing his wife without orderly marriage, forasmuch as there were many cercomstances in the action that did alleuiate the fault, is onely fined fifty shillings, the Court abateing the fine in the extent of it respecting the p̄mises.

These p̄sents may certify all whom it may concern, that wheras Leiftenant Samuell Nash, of Duxberry, being aged, and not in a capassety to liue

1683-4.

5 March.  
HINCKLEY,  
Gou<sup>r</sup>.  
PART II.

[\*3.]

1683-4.

5 March.  
HINCKLEY,  
Gov<sup>r</sup>.  
PART II.

and keep house of himselfe, hath therefore put his estate into the hands of William Clarke, of Duxburrow, that therby hee may have a comfortable liue-lyhood, as alsoe to certify the sume and total of his moucable estate; and it is as followeth:—

	l	s	d
Item, one great bed and beding, five pound . . . . .			00
Item, another bed and beding, . . . . .	02	00	00
Iron ware, . . . . .	01	10	00
Item, pewter and brasse, . . . . .	01	00	04
Item, 1 chern, . . . . .	00	02	00
Item, wooden and earthen vessells, . . . . .	00	05	00
Item, a cubberd & tubb, . . . . .	00	05	00
Item, a table, tubbs, & chairs, . . . . .	01	05	00
Item, a chist, linnine, & curtaines, . . . . .	02	03	00
Item, a belace, a glasse, & other things, . . . . .	00	05	00
Item, 1 cow and swine, . . . . .	02	15	00
Item, corn, . . . . .	00	11	03
Item, one pitch forke, . . . . .	00	01	00
Item, by mony, . . . . .	00	04	00
The total sume is . . . . .	17	18	03

The prissors were John Soule and Phillip Leanard, being chosen by William Clarke and approued by Leiff Nash.

Written by Thomas Delanoe, this 18th of the 4<sup>th</sup> } 01 : 00 : 00  
 month, further as followeth, . . . . . }

Item, one gun, . . . . . 00 : 12 : 00

Item, 1 prospectiue glasse, 1 pestle & mortar; alsoe, the disposing of his house and land during his life time.

This Court doth allow the abouewritten accountpt to be the reall due of Martha Clarke, the wife of Wilſam Clarke, of Duxburrow, in compensation of her paines & care in looking to her father, Samuell Nash, late deceased. By order of the Court,

p NATHANIEL MORTON, Secretary.

[\*4.]

\*The within named John Alden, authorised as attorney for the within mencioned councill, haucing in their name and stead entered into the within named or mençõned tracts of land and other premises, in the name of the whole, and for them, and in their names taken possession and seasen therof, did, in the nam of the said councill, deliuer the full and peacable possession

and seazen of all and singulare the within mensioned to be graund pmisses vnto William Bradford, for him, his heires, associates, and assignes, secundum formam cartæ.

1684.  
 3 June.  
 HINCKLEY,  
 GOV<sup>r</sup>.  
 PART II.

NATHANIELL MORTON, Secretary.

In presence of  
 James Cudwords,  
 Willtam Clarke.

[Pages \*5, \*6, and 6<sup>b</sup> are in the handwriting of Mr. Nathaniel Clarke.]

\**At the Court of Election holden at Plimoth, for y<sup>e</sup> Jurisdiction of New Plymouth, the third of June, 1684.* [\*5.]

BEFORE Thomas Hinckley, Esq <sup>r</sup> , Goû,	Daniell Smith,
William Bradford, Esq <sup>r</sup> , Deputie Goû,	Barnabas Lathrop,
John Alden,	John Thacher, &
John Freeman,	John Walley, Esq <sup>r</sup> ,
Assistants, etç.	

**T**HOMAS HINCKLEY, ESQ<sup>R</sup>, was chosen Goû, and sworne.  
 William Bradford, Esq<sup>r</sup>, was chosen Deputie Goû, and sworne.  
 The 4<sup>th</sup> day of July, 1684, y<sup>e</sup> Gouvernor was sworne to this as followeth.  
 John Alden, John Freeman, Daniell Smith, Barnabas Lathrop, John Thacher, & Capt<sup>t</sup> John Walley, Esq<sup>rs</sup>, were chosen Assistants, and sworne.  
 The Goû & Deputie Goû were chosen Comissioners. Y<sup>e</sup> next in nomination was M<sup>r</sup> Daniell Smith, Capt<sup>t</sup> John Walley.  
 Maior William Bradford was chosen Treasurer.

The Names of y<sup>e</sup> Deputies of y<sup>e</sup> seuerall Townes.

Plymouth, . . . . .	{ Leif <sup>t</sup> Ephraim Morton, Joseph Warren.
Duxburrõ, . . . . .	{ Capt <sup>t</sup> Standish, Ensign Trassie.
Sittuate, . . . . .	{ M <sup>r</sup> John Cushen, Samuell Clapp.
Sandwich, . . . . .	{ Stephen Skiffe, Sheriashoobe Burne.
Tanton, . . . . .	{ Ensigne Leonard, John Hatheway.
Yarmouth, . . . . .	{ John Miller, M <sup>r</sup> Jerimiah Howes.

1684.

3 June.  
HINCKLEY,  
Gov<sup>r</sup>.  
PART II.

Barnstable, . . . . .	{	Cap <sup>t</sup> Joseph Lathrop, M <sup>r</sup> Samuell Allin.
Rehoboth, . . . . .	{	Leif <sup>t</sup> Peck, Gilbert Brookes.
Eastham, . . . . .	{	Cap <sup>t</sup> Sparrow, John Doan.
Bridgewater, . . . . .		Leif <sup>t</sup> Thomas Hayward.
Marshfeild, . . . . .	{	Cap <sup>t</sup> Nathaniel Thomas, M <sup>r</sup> Samuell Sprague.
Middlebery, . . . . .		M <sup>r</sup> John Tomson.
Swansey, . . . . .		Hugh Cole.
Bristol, . . . . .		Cap <sup>t</sup> Church.
Little Kompton, . . . . .		Henry Head.
Freetown, . . . . .		Jo <sup>h</sup> Bayley.

The Grand Inquest.

M <sup>r</sup> Noah Floyd,	John Wasborne, Juni <sup>r</sup> ,
Samuell Peck,	John Thomas, Juni <sup>r</sup> ,
Preserved Abell,	Joseph Willis,
Jonathan Shaw,	Isaac Deane,
Thomas Fance,	John Perrey,
Nathaniel Bacon,	Thomas Sturgis,
Thomas Huckens,	John Haskall,
John Hatheway, Juni <sup>r</sup> ,	Jonathan Thurston,
Joseph Waterman,	William Merrick,
John Briggs,	Samuell West,
Joseph Barstow,	Joseph Rider,
Josiah Holmes,	James Sampson.
Thomas Walker,	

[\*6.]

\*The Constables of y<sup>e</sup> seuerall Townes.

Plymouth, . . . . .	John Bryant, Juni <sup>r</sup> .
Duxburow, . . . . .	William Vobes.
Sandwich, . . . . .	Jonathan Hallett.
Taunton, . . . . .	{ Joseph Wilbore, John Hodges.
Sittuate, . . . . .	{ Samuell Studson, William Tickner, Seni <sup>r</sup> .
Marshfeild, . . . . .	Esrael Holmes.

Rehoboth, . . . . .	Richard Whittacar.
^ . . . . .	Samuell Perry.
^ . . . . .	John Goram.
^ . . . . .	Noah Newman.
^ . . . . .	Cap <sup>t</sup> John Browne.
^ . . . . .	Roger Kennicott.
^ . . . . .	Thomas Doghead.
^ . . . . .	John Aymes.
^ . . . . .	Joseph Nicholson.
^ . . . . .	William Brownell.
^ . . . . .	Josiah Cane.
^ . . . . .	Robert Studson.

1684.

3 June.  
HINCKLEY,  
Gov<sup>r</sup>.  
PART II.

The Names of y<sup>e</sup> Select Men of the seuerall Townes.

Lieft Epharim Morton,	Sheriashub Bourne,
Serieant Harlow,	Stephen Skiffe,
Lieft Joseph Howland,	Cap <sup>t</sup> Lathrop,
William Clarke,	Lieft Howland,
Joseph Warren,	M <sup>r</sup> Samuell Allen,
Benjamin Bartlett,	Cap <sup>t</sup> Peter Hunt,
John Watsworth,	Leift Peck,
Ensigne Trassey,	Gilbert Brooks,
M <sup>r</sup> John Cushen,	Leift Isaac Little,
Jerimiah Hatch,	Nathaniell Winslow,
Samuell Clapp,	John Bourne,
Leift George Macy,	Leift Sparrow,
Ensigne Thomas Leonard,	Mark Snow,
Walter Deane,	John Doane,
John Hatheway, Seni <sup>r</sup> ,	Samuell Edson,
John Hall,	Leift Thomas Hayward,
Edmond Howes,	Deacon Willis,
M <sup>r</sup> Miller,	M <sup>r</sup> John Tomison,
M <sup>r</sup> Jerimiah Howes,	Isaac Howland,
Cap <sup>t</sup> Richmond,	Samuell Wood,
William Paybody,	Cap <sup>t</sup> Luther,
William Southworth,	Obediah Bowin,
Thomas Tupper,	M <sup>r</sup> John Allin.

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The Names of y<sup>e</sup> Freemen that tooke Oath this Court, June 5<sup>th</sup>, 1684.

Mr Noah Floyd,	John Thrasher,
Mr Nathaniel Byfeild,	Nathaniell Atwood,
Mr Buxton,	John Hayward,
John Bailey,	Nathaniell Brett,
Epharim Doane,	Nathaniell Turner,
John Snow,	Samuell Gardner,
Samuell Paine,	John Crosman,
Thomas Paine, Juni <sup>r</sup> ,	Giles Rickard, Juni <sup>r</sup> .

Y<sup>e</sup> Names of such as stand propounded or approved to take their Freedome.Samuell Sergeant, John Glouer, William Bradford, Juni<sup>r</sup>.[\*6<sup>b</sup>.]

\*This Court, taking into consideration y<sup>e</sup> inconueniency likely to ensue by persons erecting fences, gates, or barrs on thwart contry high wayes, to y<sup>e</sup> annoyance of trauellers, doe therefore enact, & be it hereby enacted, that all necessary country wayes within this colony shall, between this time & y<sup>e</sup> next October Court, be laid out by a jury wher it is not already so done, at y<sup>e</sup> charge of y<sup>e</sup> respectiue townes thorow whose lands or townships such wayes may lead; & that an account therof, with y<sup>e</sup> seuerall bounds of each such way, in euery of sd townes, shall be presented or brought to y<sup>e</sup> clarke of that towne, on penality of fife pounds to be forfeited & paid by such towne as shall neglect y<sup>e</sup> performance therof.

And that the clarke of each towne send a true copy of such account to y<sup>e</sup> publicke Secretary, who shall forth with committ such copies to publick record, to y<sup>e</sup> end that such wayes may be certainly knowne; and that after sd October Court, if any person or persons shall presume to sett any fence, barrs, or gate one thwart any such high way without y<sup>e</sup> consent of y<sup>e</sup> Generall Court, he or they shall for euery such offence *shall* forfeitt to y<sup>e</sup> vse of y<sup>e</sup> colony y<sup>e</sup> sum of fife pounds.

And that after said Court, if any such obstruction shall be made or maintayned in or vpon any such way, with out leaue as aforesaid, it shall be y<sup>e</sup> care & duty of y<sup>e</sup> surueighers of wayes in each towne to remoue all such obstructions, & to demollish such publicke nusances.

June 5<sup>th</sup>, 1684. In answere vnto Nathaniell Halls petition, presented to this Court, for maintenance, he being a maimed souldier in y<sup>e</sup> late Indian warr, & this Court haueing formerly granted & paid him for y<sup>e</sup> cause aforesaid y<sup>e</sup> sume of forty pounds in money, & granted him licence to keepe an ordinary, & y<sup>e</sup> fines of all such as shall presume to sell drinke to English contrary to

law in y<sup>e</sup> township of Yarmouth, doe now in this Court further grant to y<sup>e</sup> said Hall y<sup>e</sup> sum of 5 pound p annum during his life, to be paid him out of the treasury, in case he take vp and be satisfied therewith.

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The Generall Court held at Plymouth the first Tuesday in June, 1684, authorised & impowered Ensigne Thomas Leonard to adminester marriage in y<sup>e</sup> towne of Taunton, & also to adminester oathes, & grant summonses & attacements that shall be authentick in any Court of this gouernment; & this to stand in force vntill next Generall Court to be held in October next.

By order of NATHANIELL MORTON, Secretary.

Plymouth, y<sup>e</sup> 7<sup>th</sup> of June, 1684.

[The manuscript is again in the handwriting of Secretary Morton.]

Plymouth, the 7<sup>th</sup> of June, 1684. The Court doceth further impower the said Insigne Leanard to doe as aboue expressed vntill the said Court shall see reason to the contrary.

NATHANIELL MORTON, Secretary.

Plymouth, the first of Nouember, 1684.

\*Lycence is graunted by the Court to Vzall Wardell to keep an ordinary att the ferrey att Mount Hope, and to be reddy and well prouided with good lodging, and victualls, and wine, and beer, and lyquar, and other nessesaryes fit for such purpose, and fodder for horses, & that hee keep good orders in his house, that hee incurr now just blame by his negligence.

[\*7.]

This Court graunts liberty vnto Iäcke Howland to keep an ordinary att Middleberry, and to be prouided with such nessesaryes for that purpose as are requisitte, as lodging and victualls for men, and fodder for horses; and that hee keep good orders in his house, that hee incurr noe just blame by his negligence.

This Court graunts liberty to John Hathway, Juni<sup>r</sup>, to keep an ordinary att Freetowne, and to be prouided with such nessesaries as are requisitt for that purpose, as lodging and victualles for men, and prouender for horses; and that hee keep good orders in his house with those that lodge ther or shall stay ther in their jornings, that hee incurr not just blame by his negligence.

Cap<sup>t</sup> John Walley is approued and settled by the Court to be captaine of the milletary companie of New Bristol.

And Leiftenant Renolds to be leiftenant of the said companie.

And Jabez Howland to be insigne of the said companie.

M<sup>r</sup> John Cushen is appointed and impowered to be in the place of a coroner in the townshipp of Scittuate, and to call men and swear them to serue

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as a jury in the coroners inquest in any occasion that may hereafter fall out ; and especial in respect vnto a poor boy that was lately supposed to be slaine by the shooting of a gun ; and that the said jury return their *theire* verdict, vnder their hands, to the Court ; and to bind ouer any pson that may appeer to be necessary thervnto, to answere the said Court, or secure him or them, as the matter may require.

It is enacted by the Court, that from the Fall Riuer to Dartmouth, it shall belonge to the constablerick of Little Compton ; and the constable shall gather in the rates of Puncatessett and Pacasset with their owne, and doe and pforme all other services within that precincts behoofull to that office as their owne.

It is ordered by the Court, that the rate due from Freetowne shalbe retained in their hands, and be improued for building of a bridge ouer Assonett Riuer and the dirty swamp and brooke where the Quakers once buildt a bridge, and that the constable shall gather the rates and cause it to be employed for the ends abonesaid by the Courte to be holden in October next, or otherwise the Treasurer to require the said rate.

The Gov<sup>r</sup>, M<sup>r</sup> Barnabas Laythorp, Cap<sup>t</sup> Walley, and Cap<sup>t</sup> Laythorp, and Cap<sup>t</sup> Thomas are appointed to view the lawes of the collonie, and to reduce them into better order, and this to be don by the fift day of October, Court week ; and this Court is adjourned vntill then.

The Treasurer, John Thompson, and Joseph Warren are apointed by the Court to lett out the Cape fishing in behalfe of the country for seauen yeer, or lesse time if they see reason, from the 4<sup>th</sup> day of July next.

June the 5<sup>th</sup>, 1684. In answere to the petition p<sup>s</sup>ented to this Court for maintainance, by Nathaniell Hall, he being a mamed souldier in the late Indian warr ; and this Court haueing formerly granted and payed him, for the cause aforesaid, the sume of forty pound in mony, and granted him lycence to keep an ordinary, and the fines of all such as shall p<sup>s</sup>ume to sell drink contrary to the lawes, in the township of Yarmouth, doe now, at this Court, further graunt to the said Hall the sume of fve pound p<sup>r</sup> añum, during his life, to be payed him out of the treasury, incase hee take vp and be satisfied therwith.

Know all men by these p<sup>s</sup>ents, that I, Edward Bobbett, of the towne of Taunton, in the jurisdiction of New Plymouth, husbandman, doe acknowledge myself heerby to stand bound and feirly obliged vnto the Gov<sup>r</sup> and Court of Plymouth aforesaid, in the penall sume of fve hundred pound, for the payment wherof well and truly to be made, I bind mee, my heires, executors, and administrators, feirly by these p<sup>s</sup>ents. Sealed and giuen this 4<sup>th</sup> of June, 1684.



The condition of the abouewritten obligation is such, that, wheras the aboue bounden Edward Bobbitt hath obtained letters of adminnestration to adminnester vpon the estate of Edward Bobbitt, Seni<sup>r</sup>, deceased, if, therefore, the said Edward Bobbitt shall and will faithfully pay, or cause to be payed, all debts and legacyes as are due and owing to any att the decease of the said Edward Bobbitt, Seni<sup>r</sup>, out of his estate, and keep a faire account of his said adminnestration, and be reddey to giue in an account therof when required by the Court, and otherwise doe saue harmles the said Gou<sup>r</sup> & Court from any damage that may acrew to them by his said adminnestration, that then the aboue written obligation to be void & of non effect, or else to remaine in full force, strength, and vertue.

\*In reference vnto the estate of Samuel Witherell, deceased, this Court hath ordered that forasmuch as the eldest son hath receiued of his grand father, M<sup>r</sup> William Witherell, deceased, that which was due to him, viz<sup>t</sup>, seuen acres of vpland att Hoopole Hill, the Court haue ordered, that the youngest son haue allowed vnto him out of his fathers estate foure pound, and the daughter forty shillings, and that the remainder of the said estate be allowed to the widdow for the bringing vp off the children, which are but smale.

Know all men by these p<sup>s</sup>ents, that I, Issabell Witherell, of the towne of Scittuate, in the jurisdiction of New Plymouth, widdow, and Abraham Sutliffe, of the towne aforesaid, in the jurisdiction aforesaid, yeoman, doth acknowledge ourselues bound and feirmly oblidged vnto the Gou<sup>r</sup> and Court of Plymouth, in the penall sume of one hundred pound, for the payment wherof, well and truely to be made, wee bind ourselues, our heires, executors, and adminnestrators, joyntly, and seuerally. Sealed and giuen this fift of June, 1684.

The condition of the aboue written obligation is such, that, wheras the aboue bounden Issabell Witherell hath obtained of the Court letters of adminnestration, to adminnester on the estate of the said Samuel Witherell, if, therefore, the said Issabell Witherell pay, or cause to be payed, such debts as are due and owing to any from the said estate, soe fare and by equall proportions as the estate will amount vnto, and keep a faire account of her said adminnestration, and bee reddey to giue in an account therof vnto the said Court when by them required, and doe saue and keep harmles and vndamified the said Gou<sup>r</sup> and Court from any dama<sup>g</sup> that may acrew vnto them, or any of them, by her said adminnestration, that then the said obligation to be void and of non effect, or otherwise to remaine in full force, strength, & vertue. Liberty of adminnestration is graunted by the Court to Issabell Witherell to adminnester on the estate of Samuel Witherell, deceased.

A fine of fifty shillings, received by the Treasurer of William Gifford, of Sandwich, on the countryes behalfe.

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Jonathan Howes, youngest son to Capt Thomas Howes, deceased, personally appeared this 8<sup>th</sup> day of May, 1684, and made choise of his vnkell, M<sup>r</sup> Jeremiah Howes, to be his gaurdian, and which said gaurdianship by him the said Jeremiah Howes, was accepted before mee.

JOHN THACHER, Assistant.

[Pages \*9, \*10, \*11, 12, and part of \*13, are in the handwriting of Mr. Nathaniel Clarke.]

[\*9.]

\*In y<sup>e</sup> name of God, amen, y<sup>e</sup> 16th day of January, in y<sup>e</sup> yeare of our Lord God one thousand six hundred seenty six : I, Walter Briggs, in y<sup>e</sup> jurisdiction of New Plimouth, in New England in America, yeoman, being aged, but of sound & perfect memory, (praise be giuen vnto God for y<sup>e</sup> same,) and caling vnto remembrance y<sup>e</sup> vncertaine estate of this transotory life, & that all flesh must yeild vnto death when it shall please God to call, & being desirouse to settle things in order, do make, constitute, ordaine, & declare this my last will or testament, in manner & forme following, reuokeing & adnulling by these p<sup>s</sup>ents all & euery testament or testaments, will & wills, heretofore by me made & declared, either by word or writing, & this to be taken only for my last will & testament, & no other. And first & principally, I commend my soule vnto Almighty God, my Creator, assuredly beleuiung I shall reseaeue full pardon & free remission of all my sins, & be saued by y<sup>e</sup> precious blood & meritts of my blessed Sauio<sup>r</sup> & Redeemer, Christ Jesus, and my body to y<sup>e</sup> earth, from whence it was taken, to be buried in such decent & Christian manner as to my executo<sup>r</sup>, hereafter named, shall be thought meet & convenient. And as touching such worldly estate as y<sup>e</sup> Lord in mercy hath lent me, my will & meaning is, y<sup>e</sup> same shall be imployed & bestowed, as hereafter in this my will is expressed. I giue & bequeath vnto my loueing wife, Francis Briggs, six pound p<sup>r</sup> annum during her life, to be paid by my executo<sup>r</sup>, hereafter named, in corne or cattle, or any other pay. I giue & bequeath vnto my said wife two coves ; & my will is that my executo<sup>r</sup> keep them for her both in y<sup>e</sup> winter & summer, without any trouble to her. I giue & bequeath vnto my said wife one of y<sup>e</sup> two beds we lay on, & y<sup>e</sup> furniture belonging to it, to be att her dispose when she dye. I bequeath vnto my wife, during her life, y<sup>e</sup> loer roomes of y<sup>e</sup> west end of my dwelling house, & libertie of a third part of y<sup>e</sup> sellar, & roome in y<sup>e</sup> chamber ouer y<sup>e</sup> sellar, to put any thinge as she may haue occasion for, & liberty to make vse of potts, kettles, & other vessels commonly made vse of in y<sup>e</sup> house, that she may vse them as she hath ocasion, but not to dispose of them. And I will her lyberty of keeping two swine ; & I will her lyberty to make vse of y<sup>e</sup> two gardens, & she to haue two thirds, & my executo<sup>r</sup> to haue one

third of what she raiseth of them. I will that my executo<sup>r</sup> allow my said wife a gentlé horse or mare to ride to meeting or any other occasion she may haue, & that Jemy, y<sup>e</sup> neger, catch it for her. Also, I will my said wife, Mariah, y<sup>e</sup> little neger gerle, to be with her so long as my wife liues, p<sup>r</sup>vided she continue at Conihasset. I giue & bequeath vnto my son John Briggs, as or for a homested, my dwelling house, with all barnes, out housing, yards, & gardens belonging to it, with my orchard, barne, feild, & y<sup>e</sup> field of y<sup>e</sup> northerly end of y<sup>e</sup> barne feild, & from y<sup>e</sup> northwest corner of my son James Briggs his field, neare y<sup>e</sup> barrs at y<sup>e</sup> going out with a straight line towards y<sup>e</sup> sowethwest to south west southerly to M<sup>r</sup> John Saffins land; this I settled vpon my son John Briggs, his heires & assignes, for euer, he & they allowing my wife to inioy that out of y<sup>e</sup> p<sup>r</sup>mises which is before willed her during her life. I giue & bequeath vnto my son James Briggs, as or for a homested, y<sup>e</sup> house he dwells in, with y<sup>e</sup> whole feild, with in which his house stands, & from y<sup>e</sup> sowthwest corner of y<sup>e</sup> sheep pen, on a straight line towards the sowwest to a maple tree by y<sup>e</sup> fence, vnto y<sup>e</sup> fence of y<sup>e</sup> barne field, & by y<sup>e</sup> fence round his barne vntill it comes to y<sup>e</sup> barrs going into James his field, near y<sup>e</sup> northwest corner of y<sup>e</sup> sheep pen; & in case this falls short in quantitie of that settled on my sonne John, then my mind & will is, that y<sup>e</sup> full quantitie of y<sup>e</sup> lands be made vp of y<sup>e</sup> lands adioyning to y<sup>e</sup> feild on y<sup>e</sup> easterly side of his field, y<sup>e</sup> whole length of his field, in equall breadth, from end to end; & this I settle vpon my son James Briggs, his heires & assignes, for euer. And my mind & will is, that during y<sup>e</sup> life of my wife, that my son John Briggs take y<sup>e</sup> profit & benefitt of two thirds of all y<sup>e</sup> rest of my land vndeuided, & my son James Briggs one third of y<sup>e</sup> profit therof; but after my wifes decease, my mind & will is, that all my lands in Scittuate, not deuided as before, shall be equally deuided betwixt my son John & my son James, allwayes being p<sup>r</sup>ouided, & so it is to be vnderstood, & no otherwise, in case my son James pay a legasie of forty pounds vnto his sister Hannah Winslow, within one yeer after my wifes decease, which legasie of forty pounds \*I doe, by these p<sup>r</sup>sents, giue & bequeath vnto my daughter Hañah Winslow. But in case he shall refuse, or neglect to pay y<sup>e</sup> same as aforsaid, then my will is, that my son John Briggs pay y<sup>e</sup> said legasie of forty pounds vnto my daughter Hañah Winslow & then my mind & will is, that my son John shall haue two thirds of all y<sup>e</sup> lands vndeuided as aforsaid, vnto him, & his heires & assignes, for euer, & my son James one third thereof, to him, his heires & assignes, for euer. I do giue and bequeath vnto my son Cornelius Briggs one whole freemans share of land that allready appertaines vnto a share, or shall euer hereafter appertaine, in Swansey,

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& on y<sup>e</sup> easterly side of Tanton Riuer, & on y<sup>e</sup> eastward of Chosino, or else where, & this I bequeath to my son Cornelius, his heires & assignes, for euer. Also, I giue & bequeath vnto my son Cornelius, thirty pounds, to be paid him within one yeer after my decease, by my executor hereafter named. All y<sup>e</sup> rest of my goods & chattells, mouables & immouables, not mentioned nor disposed of, I giue to my eldest sonn, John Briggs, whome I make & appoint to be sole executo<sup>r</sup> of this my last will & testament. In witnes wherof, I haue herevnto sett my hand & seale, y<sup>e</sup> day and yeer first abouewritten. Memorandum: I giue & bequeath to my executo<sup>r</sup> ten pound in mony, to defray my funoralle expences: this before sealing.

WALTER BRIGGS, & a 

Signed, sealed, & declared by Walter Briggs to be his last will & testament, in y<sup>e</sup> p<sup>s</sup>ence of vs.

William Hatch,  
 James Cudworth.

William Hatch testified vpon oath before y<sup>e</sup> Court, that he did see Waltar Briggs signe, seale, & declare this aboue written to be his last will & testament don. Before y<sup>e</sup> Court held att Plymouth, this 4<sup>th</sup> June, 1684.

NATHANIELL MORTOR, Secretary.

4 July.  
 [\*11.]

\*An Act for the restraining and punishing Priuateers and Pirates.

Wheras nothing can more contribute to his sacred ma<sup>ties</sup> hono<sup>r</sup> than that such articles as are concluded and agreed on in all treaties of peace should by all his ma<sup>ties</sup> subjects according to their duty, be most inviolable preserved & kept in and ouer all his ma<sup>ties</sup> dominions and territories; and wheras not only against such treaties of peace made by his ma<sup>tie</sup> with his allies, but also contrary to his ma<sup>ties</sup> royall proclamations, seuerall of his subiects haue & doe continually go of from this colony into forreigne princes seruice, & sail vnder their comissions contrary to their duty & good allegiance, and by fair meanes cannott be restrained from so doing, —

Be it therefore enacted by this Gen<sup>l</sup> Court & authority therof, and it is hereby enacted by the authority of y<sup>e</sup> same, that from & after publication hereof, it shall be felony for any person, which now doth, or with in four years last past heretofore hath, or hereafter shall, inhabitt or belong to this colony, to serue in America in an hostile manner vnder any forreigne, or any employed vnder any of them, against any other forreigne prince, state, or

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potentate, *prince, state, or potentate*, in amity with his ma<sup>tie</sup>, without speciall licence for so doing, vnder y<sup>e</sup> hand & seal of y<sup>e</sup> Gou<sup>r</sup> or co<sup>m</sup>ander in cheife of this colony for y<sup>e</sup> time being, and that all & euery such offender or offenders, contrary to the y<sup>e</sup> true intent of this act, being therof duly convicted in any of his ma<sup>ties</sup> courts of iudicature within this colony, to which court authority is hereby giuen to hear & to determine y<sup>e</sup> same, as in other cases of felony, shall suffer pains of death without benefitt of y<sup>e</sup> clergy. Prouided, neuertheless, that this act nor any thinge therin contained shall extend to any pson or psons which now are or haue been in y<sup>e</sup> seruice or employment of any foraigne prince, state, or potentate whatsoever, that shall returne to this colony, & leaue & desert such seruice & employment before y<sup>e</sup> 10<sup>th</sup> day of Decem<sup>b</sup> next ensuing, rendring themselues to y<sup>e</sup> Gou<sup>r</sup> or cheife co<sup>m</sup>ander for y<sup>e</sup> time being, & giueing him such securitie as he shall appoint for their future good behaiour, and also they shall not depart this colony without y<sup>e</sup> Gou<sup>r</sup>s leaue.

And for y<sup>e</sup> better & more speedy execution of justice vpon such who, haueing co<sup>m</sup>itted treasons, piracies, felonies, & other offences vpon the sea, shall be \*apprehended in, or brought prisoners to this colony, be it further enacted by the authority aforesaid, that all treasons, felonies, piracies, robberies, murthers, or confedaracies co<sup>m</sup>mitted, or that hereafter shall be co<sup>m</sup>mitted, vpon the sea, or in any hauen, creeke, or bay, shall be inquired, tryed, heard, determined, & judged, within this colony in such like forme as if such offence had been co<sup>m</sup>mitted in & vpon y<sup>e</sup> land; and to that end and purpose co<sup>m</sup>missions shall be had vnder y<sup>e</sup> great seal of this colouy, directed to y<sup>e</sup> judge or judges of y<sup>e</sup> Admy<sup>ty</sup> of this colony for y<sup>e</sup> time being, & to such other substantiall persons, as by his ma<sup>ties</sup>, Gou<sup>r</sup>, or co<sup>m</sup>ander in cheife for y<sup>e</sup> time being shall be named, or appointed, which said co<sup>m</sup>ander, or such a quorū of them as by such co<sup>m</sup>missions shall be therunto authorized, shall haue full power to doe all things in & about y<sup>e</sup> inquiry, hearing, determining, adiudging, & punishing, of any of y<sup>e</sup> crimes & offences aforesaid, as any co<sup>m</sup>ander to be appointed by co<sup>m</sup>mission vnder y<sup>e</sup> great seal of England, by vertue of a statute made in y<sup>e</sup> 28<sup>th</sup> year of the reigne of King Henry y<sup>e</sup> 8<sup>th</sup>, are impowered to doe & execute within y<sup>e</sup> kingdome of England. And that y<sup>e</sup> said offenders which are or shall be apprehended in, or brought prisoners to this colony, shall be lyable to such order, process, judgment, & execution, by vertue of such co<sup>m</sup>mission, to be grounded vpon this act, as might be awarded or giuen against them, if they were proceeded against within y<sup>e</sup> realme of England by vertue of any co<sup>m</sup>mission grounded vpon y<sup>e</sup> said statute.

[\*12.]

And all trialls heretofore had against such criminall or cryminalls before

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any judge or judges, by virtue of such comission or authority at any time heretofore granted, and all proceedings therevpon, are hereby ratified, confirmed, & adiudged lawfull, and all such judges, with all & euery y<sup>e</sup> inferiour officers, that haue acted therby, are hereby indemnified, to all intents & purposes whatsoever; and in case they, or any of them, shall at any time hereafter be sued, vexed, or molested, or troubled for any such their proceedings as aforesaid, hee or they soe sued, vexed, or molested, shall plead y<sup>e</sup> gen<sup>ll</sup> issue, & giue this act in euidence, any law, statute, custome, or vsage to y<sup>e</sup> contrary in any wise notwithstanding. And be it further enacted by y<sup>e</sup> authority, that all & euery person or persons that shall any way knowingly entertaine, harbour, conceale, trade, or hold any corospondence, by letter or otherwise, with any person or persons that shall be deemed or adiudged to be priuateers, pirates, or other offenders, within y<sup>e</sup> construction of this act, and that shall not readily endeauour to y<sup>e</sup> best of his or their power to apprehend, or cause to be apprehended, such offender or offenders, shall be lyable to be prosecuted as accessaries & confederates, & to suffer such paines & penalties as in such case by law is provided.

And for y<sup>e</sup> better & more effectuall execution of this act, be it further enacted by y<sup>e</sup> authority aforesaid, that all comission officers, in their seuerall precincts within this colony, are hereby required & impowred, vpon his or their knowledg<sup>e</sup> or notice giuen that any priuateers, pirates, or other persons suspected to be vpon any vnlawfull designe, or in any place within their respectiue precincts, to raise & leuy such a number of well armed men as he or they shall thinke needfull, for y<sup>e</sup> seizing, apprehending, & carrying to gaol all, euery such person or persons, & in case of any resistance or refusall to yeild obedience to his ma<sup>ties</sup> authority, it shall be lawfull to kill or destroy such persons, and all and euery person or persons that shall oppose or resist by striking or firing vpon any of y<sup>e</sup> commanded parties shall be deemed, taken, and adiudged as felons without benefitt of y<sup>e</sup> clergi; and euery such officer that shall omitt or neglect his duty herein shall forfeit fifty pound, currant mony of this colony, for euery such offence, to be recouered in any of his ma<sup>ties</sup> courts of record within this colony, by bill, plaint, or \*information, & wherein no essign, wager of law, or protection shall be allowed, one moyety therof to be to our soueraigne lord, y<sup>e</sup> King, his heires & successors, for toward the support of y<sup>e</sup> gou<sup>m</sup>ent of this colony, & y<sup>e</sup> contingent charges therof, & y<sup>e</sup> other moyety to y<sup>e</sup> informer, and all & euery person or persons, that, vpon orders giuen him or them, shall refuse to repaire immediately, with his or their armes well fixed and ammunition, to such place or places as shall be appointed by y<sup>e</sup> said officer, & not readily obey his command in y<sup>e</sup> execu-

[\*13.]

tion of y<sup>e</sup> premisses, shall be lyable to such fine or corporall punishment as by a regimentale court martiall shall be thought fitt.

In pursuance of his ma<sup>ties</sup> speciall comānd this act was voated by the Generall Court, held at Plimouth July 4<sup>th</sup>, 1684, su<sup>m</sup>oned together for that occasion. Nemine contradicente.

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[In the handwriting of Secretary Morton.]

*Att the Generall Court held att New Plymouth, July the fourth, 1684.*

M<sup>r</sup> Wilkām Clarke, of Plymouth, came into the Court and tendered, that if this Court would make a law to prohibitt the catching of mackerell with saines in any p<sup>te</sup> of this collonie, hee would and did engage to the Court that hee would giue and pay vnto the Treasurer thirty pound p<sup>r</sup> annum, for seauen yeares, in currant New England mony, for the basse fishing att Cape Codd; whervpon this Court passed an order to prohibit sayning for mackerell, and ordered the Treasurer to make a lease to the said Clark of Cape Codd, onely for basse fishing, seauen yeer, for the said sum of 30<sup>li</sup> per annum.

*\*Att the Court of his Ma<sup>tie</sup> holden att Plymouth the first of July, Ann<sup>o</sup> Do<sup>m</sup>i 1684.*

1 July.  
[\*14.]

BEFORE Thomas Hinckley, Esq<sup>r</sup>, Go<sup>v</sup>, Daniel Smith,

William Bradford, Esq<sup>r</sup>, Deputy Go<sup>v</sup>, Barnabas Laythorpe,

John Alden, John Thacher, and

John Freeman, John Walley,

Assistants, &c.

**I**N psuance of, &c., be it enacted by this Court and the authoritie therof, that the Gou<sup>r</sup> for the time being, with three or foure of the Assistants, and such other substantiall p<sup>sons</sup> as the Gou<sup>r</sup> for the time being shall com<sup>is</sup>ionate vnder the seal of this collonie, shall haue full power to acte as a Court of Admiralty, for hearing, trying, and determineing all matters and causes which by said acte are to be tryed therby, or by a quorum of them, as

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by said comission shalbe authorised, either by themselues alone or together, with or by a jury impannelled for such tryall as the case may require.

By the councell of war for the collony of New Plymouth, to A B,  
Capt:

Wheras you are appointed and chosen captaine of a foot company of the towne of C for the seruice of his ma<sup>ties</sup>, these are, therefore, to im-  
power and require you in his ma<sup>ties</sup> name to take into your charge and vnder  
your commaund said companie, and according to your best skill shall exercise  
and instruct your inferior officers and souldiers, both in peace and warr, in  
any milletary employment, and shall faithfully intend the seruice of his ma<sup>ties</sup>  
as there may be an occation, and all your officers and soldiers are heerby  
required to obey you as their capt, and you to obey such orders as allreddy  
are, or that shalbe, established by the Generall Court, or that from time to time  
you may receiue from your superior officers or the councell of warr. And  
vpon any suddaine exegence where you haue not opportunity of adviseing  
with the towne councell, you are to acte according to your best descretion,  
both in matters of offence and defence. In testimony heerof is affixed the  
seal of the collonie, the 4<sup>th</sup> of July, 1684.

This Court taking into their serious consideration the great damage  
that this collonie and our neighbours is likely to sustaine by the catching of  
mackerell with netts and saines att Cape Codd, or else where neare any shore  
in this collonie, to the great destruction of fish, and to the discouragement  
of seuerall fishermen, —

This Court doth therefore enacte, and be it heerby enacted, by the authoritie  
therof, that noe pson or psons whatsoever, after the publication heerof,  
shall catch or draw on shore any mackerell, with nett or netts, sayne or saines,  
in any pte of this collonie; and if any pson or psons shall heerafter presume  
to catch any mackerell by setting or shoolding any nett or sayne, euery such  
pson or psons soe offending as aforesaid shall forfeite for his or their said  
offence a'l such netts or saynes as shalbe soe improued, and all such mackerell  
as shalbe soe caught by him or them, and shall alsoe forfeite euery such  
vessell, and all such vessells, or boates, as shalbe employed therin, whether  
catch, sloop, or boat, as shalbe employed in taking or carrying away any such  
fish, if att any time the pson or psons soe offending be taken within the goũ-  
ment, or the vallue therof, the one moiety to the collonie, and the other  
moyety to the informer, that shali procecute the same. And for the better  
exeuion of said law, power shalbe giuen by some one or more of the mages-



trates by warrant to some fitt man to acte as a water bayliff to make seasure of any such forfeitures as aforesaid.

Att this Court, the Court graunted and ordered vnto M<sup>rs</sup> Dorothy Gray, for her charges and trouble as adminestratrix about the estate of M<sup>r</sup> Edward Gray, deceased, the sume of thirty pound out of the said estate.

Edward Gray and Hannah Gray, son and daughter of M<sup>r</sup> Edward Gray, of Plymouth, deceased, haue made choise of Cap<sup>t</sup> Nathaniel Thomas to be thire gaurdian, and the Court approueth therof.

Thomas Gray, Rebecka Gray, Lyia Gray, and Samuell Gray haue made choise of Cap<sup>t</sup> Nathaniel Thomas and Mistris Dorethy Gray, theire mother, to be theire guardians, and the Court approues therof.

Lycence is graunted by the Court vnto Mistris Mary Combe to keep an ordinary att Middleberry, and that shee is to prouide lodging and victualls for men, and prouender for horses, and to keep good order in her house, that shee incurr noe just blame by her negligence in that behalfe.

This Court hath ordered Wiltam Carpenter, of Rehoboth, to be healpfull in deuideing of the land of Nathaniell Cooper, of Rehoboth aforesaid, late deceased.

\*Robert Traves, negro, indited this Court.

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[\*15.]

The Bill of Inditment.

You, Robert Traves, negro, are indited by the name of Robert Traves, of Scittuate, in the collonie of New Plymouth, for that you, haueing not the feare of God before youer eyes, and being instigated by the diuel, did, on the last day of March last, felonously, wilfully, and presumtrously fire of a gun att the dore of Richard Standlake, therby wounding and shattering the legg of Daniell Standlake, of Scittuate, of which wound, and cutting of his legg occasioned therby, died; which is contrary to the peace of our sofl lord the King, his crowne, and dignity, and the laws of God and of this jurisdiction.

The verdict of the grand jury is, Bella vera.

The Names of the Grand Jury.

sworn.	{	John Thompson,	}	sworn.	{	John Soule,	}	sworn.
		John Haward, Jun <sup>r</sup> ,				Gyles Gilbert,		
		John Nelson,				John Briges,		
		Benjamine Bartlett,				Gorge Morton, Jun <sup>r</sup> ,		
sworn.	{	Ensigne John Haward,	}	sworn.	{	Samuell Packer,	}	sworn.
		Isack Harris,				William Fobes,		

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## The Petty Juryes Names and Verdict.

sworn.	}	James Walker,	}	sworn.	John Pecke,
		Joseph ^ ,			Joseph Howland,
		Isacke Peper,			John Hathwey,
		John Done,			Ephraim Little,
		John Rogers,			Edward Fobes,
		Samuell Smith,			John Dotey.

Wee find him an instrument of the death of Daniell Standlake by misadventure.

The Court approued the verdict; and the negro, John Trayes, was cleared, with admonition to lay it much to hart that one should lose his life by him, although throw misadventure, onely amerced these fines after expressed:—

John Trayes, amerced by the Court to pay towards	}	03 : 00 : 0
the charge of the lamnes of Daniel Standlake, vnto		
his father, Richard Standlake, of Scittuate, the sume		
of . . . . .		

And for the negroes wrong that hee hath don in	}	02 : 00 : 0
takeing away, or being an instrument in takeing		
away, Daniell Standlake out of the world, although		
by misadventure, is fined . . . . .		

or to suffer corporall punishment by being whipt.

The Coroners Enquest, their Verdict on the Death of John Miller, of Rehoboth.

Wee, whose names are vnderwritten, being, the 5<sup>th</sup> of June, 1684, called together to be the coroners enquest, and required by the constable of Rehoboth to make serch of the dead body of John Miller, and to make inquisition how and by what means the said Miller came by his death, which wee haue presently attended; and vpon narrow serch, wee find that the said Miller had two wounds into the soft of his body, close by one and other, as wee apprehending, by a dagger, either stabbing himselfe or falling vpon the dagger, and alsoe a wound in his necke, close to his wind pipe, by a cutt with his knife, which wounds in a few houers proued mortall; and alsoe, vpon examining seuerall witnesses that were with him when hee cutt his necke, and by his owne confession before his death, wee find that the said Millir did absolutly, willfully, and crewelly murder himselfe, noe other pson or psons, as wee apprehend, being accessory therunto.

The prsons whose names are vnderwritten made oath vnto the truth of the before specified pmisses, this 17<sup>th</sup> day of June, 1684, before

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DANIELL SMITH, Assistant.

WILLIAM CARPENTER,  
JOHN FITCH,  
JONAS PALMER,  
ANDREW EDMONDS,  
THOMAS WILMOUTH,  
THOMAS READ,  
RICHARD BOWIN, Seni<sup>r</sup>,  
STEPHEN PAINE,  
JOHN ORMSBEY,  
JOHN WILMOUTH,  
WILLIAM BLANDIN,  
JOHN MARTIN.

[Page \*16 is in the handwriting of Mr. Nathaniel Clarke.]

\*We, whose names are vnderwritten, being, y<sup>e</sup> 22<sup>d</sup> of September, 1684, summoned, & impaneled, & sworne by y<sup>e</sup> wor<sup>sh</sup>ipfull M<sup>r</sup> Daniell Smith, Assistant, on a jury to lay out y<sup>e</sup> cuntry roads through y<sup>e</sup> towne of Rehoboth according to Court order, we, said jury, haue attended y<sup>e</sup> same; and in reference to y<sup>e</sup> cuntry road from y<sup>e</sup> s<sup>d</sup> towne, haue agreed & laid out y<sup>e</sup> said cuntry rode to Swanzie, (viz): from y<sup>e</sup> bridge at y<sup>e</sup> southerly end of y<sup>e</sup> towne the road that now is to y<sup>e</sup> Mile Bridge, so comonly called & knowne, & so forward vpon y<sup>e</sup> said road vntill we come to y<sup>e</sup> towne bounds southward, near to M<sup>r</sup> Taners house, and haue allowed y<sup>e</sup> said high way foure rod wide. October y<sup>e</sup> 3<sup>d</sup> and 4<sup>th</sup>, 1684, the said jury laid out y<sup>e</sup> cuntry roads towards Mendon & Dedham, (viz): y<sup>e</sup> road to Dedham from y<sup>e</sup> gate at y<sup>e</sup> northwest end of y<sup>e</sup> towne, through y<sup>e</sup> lane & second diuision & great plaine in y<sup>e</sup> ancient road, & along that road till we com to a heap of stones vpon y<sup>e</sup> Ten Mile Hill, to y<sup>e</sup> Massachusetts line; which high way we haue laid out foure rod wide, except it be between John Woodcoks land, where it is laid out forty foot & vpwards; likewise, y<sup>e</sup> said jury laid out a cuntry high way to Medfeild from y<sup>e</sup> aforsaid country high way to Dedham, (viz), between John Woodcoks lands, forty foot wide, to y<sup>e</sup> line aforsaid; likewise, y<sup>e</sup> way to Mendon, going out of y<sup>e</sup> road at y<sup>e</sup> end of y<sup>e</sup> plaine lotts, where a stake standeth, & running west-erly to y<sup>e</sup> way to y<sup>e</sup> Tarr Kills, (so commonly caled,) leading to Abbotts Run,

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where y<sup>e</sup> way coms that coms from Prouidence, that leads to Dedham, & along in that road westerly vntill it coms to John Steuens lott & part of John Blackstons land, along vntill wee come to Isaac Allens house, & by his fence straight betwixt two hills, to meet with y<sup>e</sup> said road, & along that road through Isaac Allens land, & Anthony Sprague & Deacon Butterworths at Fall Brook, & passing by y<sup>e</sup> lott laid out to Benjamin Buckland, and in that road through Stephen Paines lott, and through a corner of y<sup>e</sup> lott laid out to John Read, Jun<sup>r</sup>, to cleere a swamp, & along by that lott straight till wee meet with y<sup>e</sup> s<sup>d</sup> roade againe, & from thence y<sup>e</sup> same road vntill we come to y<sup>e</sup> line of y<sup>e</sup> collo- nies, which said high way is four rod wide.

Moreouer, y<sup>e</sup> said jury laid out a high way from Patuckett Riuer, (viz): forty foot wide by y<sup>e</sup> riuer in John Blackstons land, through y<sup>e</sup> west plaine, & vp y<sup>e</sup> hill to meet with y<sup>e</sup> way y<sup>t</sup> leads to Mendon, & along y<sup>t</sup> road to Abbots Run, vpon which said run one y<sup>e</sup> easterly side y<sup>e</sup> way is laid out neere y<sup>e</sup> riuer eight rod in breadth, leading into Dedham road. October y<sup>e</sup> 9<sup>th</sup>, 1684, y<sup>e</sup> said jury laid out y<sup>e</sup> cuntry high way towards Taunton, (viz): out of y<sup>e</sup> easterly corner of y<sup>e</sup> towne, ouer y<sup>e</sup> bridge comonly called Suttens Bridge, & along vpon y<sup>e</sup> road ouer y<sup>e</sup> run, comonly caled Hunts Run, & along in y<sup>e</sup> said roade ouer a smale corner of John Titus, Sen<sup>r</sup>, his lott, & along y<sup>e</sup> s<sup>d</sup> road to y<sup>e</sup> markt trees where y<sup>e</sup> towne line is, the said high way being foure rod wide.

ROBERT HUNT,  
NICHOLAS PECK,  
WILLIAM SABEN,  
SAMUELL PECK,  
THOMAS READ,  
SAMUELL NEWMAN,  
GILBERT BROOKS,  
JOHN PECK,  
THOMAS WILMOUTH,  
THOMAS COOPER,  
WILLIAM CARPENTER,  
RICHARD BOWEN.

Transcribed out of y<sup>e</sup> towne records of Rehoboth, this 25<sup>th</sup> October, 1684, by me.

WILLIAM CARPENTER, Clerke.

[Pages \*18 and \*19 are in the handwriting of Secretary Morton.]

*\*Att a Generall Court of his Ma<sup>tie</sup> holden att Plymouth, in New  
England, the 28<sup>th</sup> of October, 1684.*

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28 October.

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Gov<sup>r</sup>.

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[\*18.]

BEFORE Thomas Hinckley, Esq <sup>r</sup> , Gov <sup>r</sup> , and	Daniell Smith,
William Bradford, Esq <sup>r</sup> , Deputie Gov <sup>r</sup> ,	Barnabas Laythorpe,
John Aldin,	John Thacher, and
John Freeman,	John Walley,
Assistants, &c.	

**T**HIS Court ordered, that the Gov<sup>r</sup> or any other of the majestrates shall giue oath to the will of Richard Smith, of Sandwich, deceased.

Lers of adminnestration is graunted by this Court vnto Benjamine Smith to adminnester on the estate of Richard Smith, of Sandwich, deceased.

Caleb Hopkins, being bound ouer to the Court to answare for breaking the Kings peace by striking of John Smith, in his owne house, on a Sabbath euening, the Court orders the said Caleb Hopkins to pay a fine of twenty shillings and the charge of procecuton.

William Nicarson and Samuell Bryant being bound ouer to the Court to answare for carrying of from the Iland of Nantuckett John Grayham, a pirate, that was there vnder their custody, they heer appeering, & proclamation haueing bin made for any parson or p<sup>r</sup>sons to euidence against them in the behalfe of our so<sup>u</sup> lord the Kinge, and noe sufficient euidence, but onely cercomstances appeering, they were cleared, paying their fees and nessesary charges of procecuton.

The councell of warr see cause to free Samuell Hall, of Taunton, from training, hee being hard of hearing, and haueing three sonnes of age and able to beare armes, whom hee engageth they shalbe reddey, if life and health, to serue the country vpon any such occation, and Nicholas White, Jun<sup>r</sup>, if Leiftenant Mace and Ensigne Leonard, of Taunton, shall see cause.

Att this Court, the celect men of the towne of Scittuate complained, that about the latter end of July last past before the date heerof, there came into their towne one William Parslow, whoe, being warned out by the said celect men when hee had not bin in the towne above six weekes, as himself owned, yett remains there contrary to their minds.

Know all men by these p<sup>r</sup>sents, that wee, William Salsberry, of Swansey, in the jurisdiction of New Plymouth, in New England, yeoman, and Hugh Cole, Seni<sup>r</sup>, of the same place, yeoman, doe acknowledge ourselues heerby to

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stand bound and feirly oblided vnto the Goũ and Court of Plymouth afor-  
said in the penall sume of sixty pounds; for the payment wherof well and  
truely to be made, wee bind our selues, our heires, executors, and adminnes-  
trators, joyntly and seucrally, feirly by these p̄sents, sealed and giuen this  
30<sup>th</sup> of October, 1684.

The condition of the abouewritten obligation is such, that wheras the  
abouebounden Wiltam Salsberry hath obtained letters of adminnestration to  
adminester on the estate of Sussanah Salsberry, if, therby, the said Wiltam  
Salsberry shall and doe pay all such debts and legacyes as were due and  
owing vnto any from the said estate, and keep a due account of his admin-  
nestration, and be reddey to giue in an accompt therof vnto the said Court  
when by them required, and saue and keep harmles and vndamnified the  
said Goũ and Court from any damage that may acrew vnto them, or any  
of them, by his said adminnestration; that then the abouewritten obligation  
to be void and of non effect, or otherwise to remaine in full force, strength,  
and vertue.

M<sup>r</sup> Gyles Gilbert, of Taunton, came into this Court and declared, that  
hee had deputed Captaine Nathaniell Thomas, of Marshfeild, his attorney in  
his behalfe, to defend añ answare any pson or psons that should demanda,  
object, or say any thinge concerning him relateing to the will or estate of John  
Parker, late of Taunton, deceased.

Know all men by these p̄sents, that I, Joseph Buckland, planter, doe  
acknowldige myselfe to be indebted vnto the Goũ and Court of Plymouth  
in the penall sume of one hundred pounds; for the payment wherof well  
and truely to be made, I doe heerby bind my selfe, my heires, executors,  
and adminnestrators, feirly by these p̄sents. Sealed and giuen the first of  
Nouember, 1684.

The condition of the abouewritten obligation is such, that wheras the  
aboue bounden Joseph Buckland hath obtained of the Court of Plymouth let-  
ters of adminnestration to adminnester on the estate of Wiltam Buckland, of  
Rehoboth, late deceased, if, therefore, the said Joseph Buckland shall and doe  
pay, or cause to be payed, all such debts and legacyes as were dew and owing  
to any att the decease of the said Wiltam Buckland, and keep a due and faire  
account of his adminnestration, and be reddey to giue in the said account  
vnto the Court when by them required, and saue and keep harmles the  
said Goũ and Court from any damage that may acrew to them, or any of  
them, by his said adminnestration, that then the next abouewritten obli-  
gation to be void and of non effect, or otherwise to remaine in full force,  
strength, & vertue.

\*Zachariah Allen owned before the Court, that the land lying in Dartmouth shewed vnto Stephen Skiffe, then marshalls deputy, to satisfy his fine, was noe otherwise his then as hee had a comon right in the vndevided lands att Dartmouth.

John Cooke, of Dartmouth, is authorised by the Court to adminnester an oath to those that are to lay out the highwayes att Dartmouth.

The Court graunts, that the township of Sandwich shall run from the picked clift att the seaside by the same line as Plymouth bounds are run, from said clift vntill it comes to the red brooke, allies Stony Riuer, and then the said brooke to be the bound vntill it comes to the salt water bay.

This Court orders, that there be tres of adminnistration graunted vnto Sarah Hatch on the estate of her husband, Thomas Hatch, deceased; and the same to be kept in the hands and by him deliueř to her, giuing security to adminnester according to law, and att the p̄sent to giue oath to the inventory, and M<sup>r</sup> Cushen to return the bonds to the Court.

Leutenant Morton and Joseph Warren, celect men of the towne of Plymouth, att this Court did giue notice to the Court, that they had giuen warning to John Hoskins to depart the towne, according to an order of Court in that respect, hee being likely to be chargeable to the said towne.

Att the Court held att New Plymouth October 28<sup>th</sup>, 1684.

Wheras Mistris Dorethy Gray, relic of M<sup>r</sup> Edward Gray, deceased, hath consented that the lands her said husband died seised of should be devided amongst his children before her dower was sett out vnto her, this Court therfore orders, that in case the said children amongst whom the lands haue bin devided, or any of them, doe not agree with her concerning her thirds in the said land, that then, att her request, her thirds of all her said husbands land shalbe sett out vnto her by meet and bound, or soe much therof as shee shall desire.

This was recorded by order of Court.

NATHANIELL MORTON, Secretary.

Anna Gray made choise of M<sup>r</sup> John Walley to be her gaurdian att this Court, and the said Court consented thervnto and approued therof.

The Verdict of the Jury respecting Joseph Trewant and Israell Holmes, of Mařfield, whoe, on the 24<sup>th</sup> of February, 1684, it being a stormy and tempestuous Wind, assaying to goe in att Plymouth Harbour, were cast away and lost their Lives, as followeth.

February 25<sup>th</sup>, 1684. Wee, whose names are vnderwritten, vnder oath

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[\*19.]

These 2 p̄ticu-  
lars were don  
by the Gener-  
all Court.

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HINCKLEY.  
Gov<sup>r</sup>.  
PART II.

to giue in our verdict concerning two psons lately deceased, whose names are Joseph Třwant and Israell Holmes, both of the towne of Mařfeild, wee find, that by the desposing hand of Gods providence, & the extreemety of the weather and the couldnes of the same, they came to theire death.

sworn.	{	GORGE WATSON,
		NATH: SOUTHWORTH,
		WILLIAM CLARKE,
		ABRAHAM JACKSON,
		JONATHAN BARNES,
sworn.	{	ROBERT STANFORD,
		JOSEPH WATERMAN,
		JOHN FORD,
		EDWARD DOTEN, Seni <sup>r</sup> ,
		SAMUELL HARLOW,
		ELKANAN WATSON,

[The entries on page \*20 are in the handwriting of Mr. Samuel Sprague.]

[\*20.]

\*Boston, June 28<sup>th</sup>, 1695.

Received of Daniel White, constable of Marshfield, twenty six pounds two shillings and six pence, in full of a warrant of twenty six pounds two shillings and six pence, by the hands of M<sup>r</sup> Samuel Doggett; I say, received for M<sup>r</sup> James Taylor, Treas<sup>r</sup>.

DAVID JENNER.

£ 26 : 2 : 6.

Boston, December 19<sup>th</sup>, 1695.

Received of M<sup>r</sup> Daniell White, constable of Marshfield, seventeen pounds five shillings, in full of a warrant for seventeen pounds five shillings; I say, received for M<sup>r</sup> James Taylor, Treasu<sup>r</sup>.

£ 17 : 5 : 0.

JER: ALLEN.

Boston, January 7<sup>th</sup>, 1695.

Received of M<sup>r</sup> Daniel White, constable of Marshfield, thirteene pounds ten shillings, in full of a warrant for thirteene pounds ten shillings; I say, received by M<sup>r</sup> James Taylor, Treasurer.

£ 13 : 10 : 0.

p JER: ALLEN.

The aboue written receipts recorded or here entered.

p SAM<sup>l</sup> SPRAGUE, Cler.



[Pages \*21, \*22, \*24, and \*25, are in the handwriting of Secretary Morton.]

1684.  
 28 October.  
 HINCKLEY,  
 GOU<sup>r</sup>.  
 PART II.  
 [\*21.]

\*July, 1684. Mistris Dorethy Gray, Adminnestratrix of the Goods and Cat-  
 tles of M<sup>r</sup> Edward Gray, late of Plymouth, deceased, her Account of  
 her Adminnestration exhibited to y<sup>e</sup> Court according to order.

Imp <sup>r</sup> , the said adminnestratrix is made debter by the inventory for mony, plate, goods, and chattels, by apprisement, the sume of . . . . .	}	737 : 02 : 06
Item, to debts due to said estate, sertaine and vncer- taine, then reconed with and not reconed with, and desperate debts, by list therof, shee is made debtor	}	346 : 18 : 03
Item, to the catch then att sea, mensioned in the in- ventory, the adminnistratrix sold for . . . . .	}	40 : 00 : 00
Item, to the estate of the said M <sup>r</sup> Gray that hath come to her hands and knowlidge since the inven- tory was taken, which amounts to the sume of . .	}	106 : 12 : 02
Item, to a pece of rope and a gun saued out of the catch, . . . . .	}	
Item, the corn then growing, mencioned in the in- ventory, . . . . .	}	
		1230 : 12 : 11

The Court orders this account to be recorded att the Court held att  
 Plymouth the 5<sup>th</sup> of March, 1684<sup>5</sup>.

\*P Contra Credit.

[\*22.]

July, 1684. Imp <sup>r</sup> , to payed away in debts due from the estate, by order of the speciall Court, . . .	}	80 : 01 : 05
Item, deuided amongst the children, and between the widdow and children, according to order of the Court, the sume of . . . . .	}	657 : 15 : 10
Item, to a deuision of debt mensioned in the list by allotment amongst the children, and between the relect & children, in which allotment the forty pound of mony was deuided, which was the prod- uct of the ketch, in all amounting to the sume of .	}	308 : 14 : 04
Item, the 21 <sup>li</sup> pound received from Thomas Purdane was deuided in manor abouesaid, . . . . .	}	21 : 00 : 00
Item, the corn was deuided by measure according to order of Court.		

1684.

28 October.  
HINCKLEY,  
Gov<sup>r</sup>.  
PART II.

Item, a p̄sell of boltes then att the cedar swamp,  
was brought home, made into shingles, and the  
shingles devided.

Item, to debts payed by the administratrix and other  
dues, and mistakes rectified, besides the 80<sup>li</sup> 01<sup>s</sup> 05  
after the first allotment of the estate, and not pro-  
vided for by the speciall Court, amounting to .

137 : 07 : 04

Item, to allowance to the executrix for long and great  
trouble in her said office, by making vp accountps  
with many p̄sons, both debter and credittors, att  
home, and att Boston, receiueing from and paying of  
debts to many seuerall p̄sons, and charge to others  
I imployed to write and keep accountps cleare ; and  
whiles I was busied euery day about the concernes  
of the estate, in generall I was faine to hier an  
nurse for my younger child, which cost mee, for  
about four or fiue monthes time, three shillings p̄  
weeke and her diett, which come to fiue or six  
pound ; and it is about three yeers time that I haue  
bine thus concerned about the estate in generall,  
with neglect to my owne p̄ticulare concernes, and  
judge I may well deserue att least fifty pound,  
wherof the Court allowes thirty pounds, . . . .

30 : 00 : 00

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 1234 : 18 : 11

The Court orders this accountp to be recorded att the Court held att  
Plymouth the 5<sup>th</sup> of March, 1684<sup>½</sup>.

1684-5. \**Att the Court of his Ma<sup>tie</sup> held att Plymouth, for the Jurisdiction  
of New Plymouth, the fift of March, 1684<sup>½</sup>.*

5 March.  
[\*24.]

BEFORE Thomas Hinckley, Esq̄, Gov̄,	Daniell Smith,
William Bradford, Esq̄, Deputy Gov̄,	Barnabas Laythorpe,
John Aldin,	John Thacher, and
John Freeman,	John Walley,

Assistants in gou<sup>r</sup>ment, &c.

**T**O the Cheife Marshall of the Jurisdiction of New Plymouth, &c:—  
 Whereas att his ma<sup>ties</sup> Court held att Plymouth, on the last Tusday in October last past, Humphrey Johnson, of Hingham, comēnced a suite against the inhabitants of Scittuate, which, after pleas made on both sydes, was comited to the jury, whoe found for the plaintife; the right said plaintiffe sued for in the comōns of the towne of Scittuate, and the cost of the suite, as by the verdict of said jury on record doth and may appeer, vpon which though the Gou<sup>r</sup> expressed himselfe that hee did not vnderstand the said verdict, yett the defendant replying that hee was contented or satisfyed with it, and the plaintiffe alsoe lickeing of it, the Court thervpon acceptēd therof, and the said Humphrey Johnson earnestly requesting an execution to be graunted to him.

These are, therefore, in his ma<sup>ties</sup> name to will and require you, p<sup>s</sup>ently on receipt heerof, to repaire to the towne of Scittuate, and there demaund of the said inhabitants, or their agents, the right of said Johnson in the comōns of the towne of Scittuate giuen him by the said verdict, or to descouer to you the comōns of the said towne, that therby, or in defect therof, by the said Johnsons discouery of the said comōns to you, you may leuy this execution required of you, by your sezen and deliuey of the said right vnto the said Humphrey Johnson, according to the said verdict; and that you alsoe leuy your fees and charge of this execution according to the law in that case provided, the cost of said suite being already satisfyed as said Johnson did acknowledge before the Court; and heerof you are not to fayle, and see you make true returne heerof, and of your doeings heerin, vnto the next Court of tryalls heer to be holden, &c.

Dated att Plymouth, March the 5<sup>th</sup>, 1684<sup>½</sup>.

This is a true copy of the execution giuen to Humphrey Johnson in the Court, being compared therwith.

As attests      NATHANIEL MORTON, Secretary.

An Indian, called Job, complained of for breaking open the house of Stephen Peckham, of Dartmouth, about Nouember last, and breakeing his dore and chest, and takeing away his wastcoat, a remnant of linen cloth, and some cheese; the Indian, appeering in Court, acknowledged that he had the goods, but was drunke, and knew nott when and where hee had them, and next morning enquired after them, and owned. The Court, haueing considered of his offence, centanced him to be whipt twenty lashes well layed on, to pay ten

1684-5.

5 March.

[HINCKLEY,  
GOVERNOR.]  
PART II.

1684-5. shillings to Stephen Peckham, and nine shillings to the constable for his trouble, and one shilling to the whipper.

5 March.  
[HINCKLEY,  
GOVERNOR.]  
PART II.

Stephen Peckham, of Dartmouth, complained of for receiueing or taking of stollen goods from him by Indian Job without order of law, & neglecting att first to procecute said Indian; hee, the said Pecke, declaring his said ignorance, and not haueing taken the satisfaction of the Indian hee had bin treating about, but now att Court procecuting said Indian.

The Court order said Peckham for his neglect and fault to be admonished.

Ambrose Fish being presented for carting ouer the land and breaking downe the fence of Thomas Tupper, after warning and abusing him, by giueing him ile language, —

The Court, haueing considered of the p̄sentment, find him guilty of abusing said Tupper by ile language, and sentence the said Fish to pay eight shillings fine to the country.

Benjamine Foster, of Sandwich, p̄sented for stricking and abusing Joseph Bucke in July, 1684. The Court, haueing considered of the offence, doe centance said Foster to pay three and four pence mony, and fīue shillings to the country.

The celect men of the towne of Scittuate are appointed by the Court to adminnester on the estate of Phillipe Ciuen, whoe lately died att Scittuate, haueing noe relations in that place.

[\*25.]

\*Peter, Indian, being sūmōned to appeer att his ma<sup>ties</sup> Court to be held att Plymouth, att the suite of M<sup>r</sup> Thomas Clarke, said Peter appeering, and said Clarke not procecuting his action, the Court allow cost to the said Peter, sixteen shillings and six pence mony.

The Court haue appointed M<sup>r</sup> Laythorpe and M<sup>r</sup> Thacher to take the probation of the estate of James Mathewes, of his will and inventory, att home att Yarmouth.

Timothy, Indian servant to the reverent M<sup>r</sup> John Cotton, being complained of for rūning away from his master some time about Nouember last, which was occation of considerable charge to his master, losse of time, and many waies to his damage, the Court, on consideration of damage that hee sustained, orders the said Timothy, Indian, to serue his said master or his assignes one yeer more, or besides the tearme hee is bound for by indenture, which yeers service hee willingly offered and promised in open Court for satisfaction to his master.

Elizabeth Snow, wife to Jabez Snow, of Eastham, being p̄sented for railing expressions on a Lords day, vsed to the reuerent M<sup>r</sup> Samuell Treat, e

the Court, considering the offence, doe centance her to pay ten shillings fine to the country. 1684-5.

5 March.  
[HINCKLEY,  
GOVERNOR.]  
PART II.

Wheras adminnestration was graunted to Sarah Bartlett, relict of John Bartlett, late of Rehoboth, and an order to the wors<sup>b</sup> M<sup>r</sup> Daniell Smith to take her oath to the inventory, but before there was oppertunity for soe doeing, said Sarah died, the Court therefore requests the wors<sup>b</sup> M<sup>r</sup> Daniell Smith, together with the celect men of Rehoboth, to make enquiry for a fitt pson to take out letters of adminnestration on the estate, and that the younger children, by the said M<sup>r</sup> Smith and the celect men of the towne, be disposed as may be most for their good, & least charge to the estate, and the estate be according to their best judgment secured and improved for the benefitt of the orphanes, and that they giue account of their actings and all matters relating to said children and estate to the next Court, and for their confeirment, and further settleing the children that may chuse their guardians, be sent to the Generall Court for approbation. And if a meet pson p<sup>s</sup>ent himself that will giue bond to adminnestration according to law, that then the wors<sup>b</sup> M<sup>r</sup> Daniell Smith graunt letters of adminnestration to the said pson, and giue oth to the inventory, and that hee make a return of his doings to the next Court.

It is ordered by the Court that the honored Gou<sup>r</sup> and the worship<sup>d</sup> M<sup>r</sup> Barnabas Laythorpe, graunt adminnestration on the estate of Robert Parker, deceased, they giueing bond to adminester according to law, and that they settle the estate on the widdow and children as there may be reason, and that there be a return made of what they doe to the therin to the next Court.

Thomas Wappatucke, Indian, being found guilty of burglary att October Court last, —

It is ordered by the Court, that hee be sold for a ppetuall servant; and it is left to the honored Gou<sup>r</sup> and the wors<sup>b</sup> M<sup>r</sup> Barnabas Laythorpe to dispose or make sale of the said Indian, and giue a bill of sale for them that buy him, and to proportion y<sup>e</sup> mony made of him to them that haue received damage by him.

At this Court an Indian squa, named Betty, was indited for killing her husband, named Great Harry, with a stone; att the first, being examined by the honored M<sup>r</sup> John Walley, shee denied it, but afterwards owned the fact, but said shee did not intend to kill him, but by throwing of a stone att a bottle of liquore and missing the bottle, shee hitt the said Indian, her husband, on the side of his head, wherof hee died.

The case being put to the grand jury, they brought in billa very.

1684-5.

5 March.  
[HINCKLEY,  
GOVERNOR.]  
PART II.

This being referred to the petty jury, they found the said Betty, Indian squa, for the said fact, guilty of homicide by misadventure.

Att this Court, Hanna Dillingam was accused by M<sup>r</sup> Timothy Thornton, of Boston, on suspision of plying eight silke hoods and other goods appertaining to the said M<sup>r</sup> Thornton; this was likewise put to the petty jury.

And the jury find concerning Hannah Dillingam, that shee is not guilty.

The Names of the Petty Jury.

sworn.	Leiff Ephraim Morton, Serjā William Harlow, Joseph Bartlett, Nathaniel Winslow, John Tracy, Leiff Joseph Howland,	sworn.	Samuell Ryder, Peter West, Elkanan Cushman, Nathaniell Holmes, Thomas Maycomber, John Dotey.	sworne.
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[Pages \*26 — \*32 are in the handwriting of Mr. Nathaniel Clarke.]

[\*26.]

\*Wheras I, whose name is hereunto subscribed, was by the Court held at Plimouth, the fourth of July, 1684, ordered to lay out a certaine p̄sell of land formerly purchased of Josiah Chukatabutt, the late Indian sachem, by Cornett Robert Stettson, for the vse of the colony of New Plimouth, as by the deed therof vnder the said Indians hand & scale, dated Aprill 13<sup>th</sup>, 1668, more at large apeareth, & after purchase made therof the Court disposed of the said tract to the said Stetson, William Brewster, & diuers other p̄sons, as by the orders of the said Court may apeare, —

Haue, according to the aboue recited order, with the helpe of seuerall other p̄sons, laid out the said tract of land according to the length and bredth, & in such mañer as by the said deed is specified & sett down, viz<sup>z</sup>: Begiñing at the southeast corner of a tract of land of three mile square, formerly granted vnto M<sup>r</sup> Timothy Hatherly at Accord Pond, comōnly called the Shares, & from the southeast corner wee measured along by the vper bounds of Scittuate township three miles southward, & on the brow of a hill neare a beauer dam made across Indian Head Riuer, wee marked a white oake tree of about two foot ouer, on four sides, for the southeast corner bounds, from which said tree we sett & ran west 9 degrees south, & marked seuerall trees in and by the range, & on the east side of Poor Meadow Brooke, at the banke side, wee marked a clumpe of maple trees, from whence wee continued our line about 60 rodd farther, & came to the extent of two mile from the said white oake tree, & there on a plane on the west side of the said brooke sett vp a stake, marked & raised heap of stones about it, for the southwest corner bounds of the said tract, & from the said heape of stones, wee sett and

ran north to the shares aforesaid, marking severall trees in the range ; & at the said shores wee marked a whiř oake tree of about a foott ouer, formerly marked for the range or south side line of the s<sup>d</sup> shares, & soe butted the said tract of land northward vpon the said shares. Note that the needle or flye by which I surueyed the lands abouesaid varied from the true meridian of the heauenes just one pointe westward from the north, & the land abouesaid was laid out according as the flye did trauerse without allowance for variation. In witnes whereof, I hereunto sett my hand the 16<sup>th</sup> day of May, 1685.

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[HINCKLEY,  
GOVERNOR.]  
PART II.

NATHANIELL THOMAS.

\*Whereas we, whose names are vnderwritten, are apointed, by the towns of Duxbury & Marshfeild, to run the lines & settle the bounds between the townships of Duxbury & Marshfeild, as by the records of the said towns doth appear, — we haue accordingly run the said lines & settled the bounds as followeth : From the rocke that is flatt on the topp neer the house of Clement King, north west to the north riuier, & haue marked severall trees in the range, & about 12 or 15 rodd northeastward of Samuell Hacks house we raised a heape of stones, & from the said rock south east to the cart way between Samuell & Seth Arnolds where we raised a heape of stones, & from thence to Greens Harbour, (fresh,) the path to be the bounds, & on the eastward side of said fresh, just aboue where the said way goes through it, we rayesed a heape of stones, & from thence on a straight line to a tree of white oake w<sup>th</sup> the topp broken of, called poles, which said tree stands by the cart way, just where an old foott path turns out of it towards Casswell, & between the said ways, & from thence on a straight line to the south west sid of Edward Bumpss lande, soe called, where he formerly liued, att Duck Hill, takeing in the said land sořtimes the said Edward Bumpsses to the township of Marshfeild, & these bounds aforesaid to be the bounds between the said townshipp of Duxbury & Marshfeild for euer more. In wittness whereof, we haue hereunto sett our hands the three & twentieth day of February, 1683.

[\*27.]

WILLIAM PABODY,  
JOHN TRACY,  
NATH<sup>LL</sup> THOMAS,  
SAM<sup>LL</sup> SPRAGUE.

The aboue written is a true copy, transcribed out of the records of the town of Duxbury.

July 13, 1685.

P RODOLPHUS THACHER.

& recorded ver battam.

P NATH<sup>LL</sup> CLARKE, Secretary.

1685.

[HINCKLEY,  
GOVERNOR.]  
PART II.

[\*28.]

\*Whereas Charls Stockbridge, late of Scituaſ, deceased, & left no will for the disposing of his estate, & there being a considerable estate left, so as that, when the debts are deducted out, there is yett remaining of the estate the sum of six hundred seenty & nine pounds, as doth apeare by the inuentory, to be deuided amongst them, there being the widdow & eight children; but finding that there may be some considerable loss in the estate by putting off some of it, (off) to loss, for the payment of the debts, soe as that where the widdows part is sett out there will not be aboue fifty pounds apeice to each child as it was prized, the eldest soñe haueing a duble portion; therefore, know all men by these pſents, that we, Abigall Stockbridge, widdow, & soñ of the children that are of age, whose names are vnderwritten, doe hereby make & conclude on this following settlement of the abouesaid estate if it shall please the honored Court to aproue of it & confirme it.

1. Imprimis, we doe agree and conclude that Charles Stockbridge, the eldest son of Charls Stockbridge, deceased, shall haue one hundred pounds as followeth: That is to say, in thirty foure acres of vpland & swampe land, by the third herring brooke in Scituate, & three acres of marsh land vp the north riuer in said Scituate, at twenty foure pounds ten shillings, & one halfe of a corne mill, & three quarters of a saw mill, both standing on said herring brooke, which said parts of said mills he is to take at seenty & seuen pounds & ten shillings, all which said vpland, swampe, & meadow lands, & said parts of said corne & saw mills, he, the said Charles Stockbridge, is to haue and enjoy with all the priuiledges & appurtenances to them or any of them belonging, to haue them & to hold them to him or his heires for euer. Hee, the said Charles, rendring to his mother, the administratrix, the sum of two pounds back againe, which the seuerall sums aboue set out doe amount to more then the said portion.

2. Item, we doe agree & conclude that Thomas Stockbridge, the son of Charles Stockbridge, deceased, shall haue fifty pounds for his portion as followeth: That is to say, thirty foure acres of vpland & swampe land by the third herring brooke in Scituaſ, & three acres of marsh land vp the North Riuer, in said Scituate, at twenty four pounds & ten shillings, & one halfe of a corne mill, & one quarter of a saw mill, both standing on the abouesaid herring brooke, which said parts of both the said mills, he, the said Thomas, is to take them att fifty & two pounds & ten shillings, all which said vpland, swampe, & meadow land, & parts of the said corne mill & saw mill, the said Thomas Stockbridge is to haue, hold, & injoy, with all the apurtenances there vnto, or any of them, belonging, to haue and to hold to him & his heires for euer. Hee, the said Thomas Stockbridge, paying to his mother, as



administratrix, the sum of twenty seven pound, which the abouesaid particulars doe ouer run his said portion, when he comes to receiue his s<sup>d</sup> portion, which shall be when he, the said Thomas Stockbridge, comes to the age of twenty one yeares.

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 [HINCKLEY,  
 GOVERNOR.]  
 PART II.

3. Wee doe also agree that Joseph Stockbridge shall haue fifty acres of land lieing in Duxbury bounds, near the Indian Head Riuer, at fifteen pounds, & ten acres of land in Chasset, in Scituate, with the right in the vndeuided lands therevnto belonging, at twelue pounds, & alsoe a reuersion in a house & land in Scituate, now belonging to Hester Stockbridge, at tenn pounds, all which said lands the said Joseph is to haue, with all the priuledges & apurtenances thereunto belonging, to haue & to hold to him & his heires for euer; & also the said Joseph shall haue twelue pounds more paid to him by the administratrix out of the moueable estate, when he shall come to the age of twenty one yeares.

4. Wheras Abigall Josling, the wife of Henry Josling, & daughter of Charles Stockbridge, deceased, haue already receiued twenty two pounds, & alsoe her mother, as administratrix, stands ingaged for said Josling for a debt of eighteen pound in mony, which with a quarter part allowance coñs to twenty four pounds, soe that if the administratrix be forced to pay said debt, then she to pay but foure pound to her said daughter out of the said estate as it was prized, but if the said Josling doe free the administratrix from her ingagement, then the said administratrix shall pay out of said moueable estate twenty eight pound to her said daughter, Abigall Josling, for her portion.

5. We doe alsoe agree that Sarah Stockbridge & Elizabeth Stockbridge, the daughters of s<sup>d</sup> Charles Stockbridge, deceased, shall haue the eight part of a corne mill, & the eight part of a saw mill, at Straits Pond, in Hingham, at thirty fíue pound, equally deuided betwixt them, part & part alike, at seuenteen pound teen shilling a peice to each of them, & they, the said Sarah & Elizabeth, to injoy there parts of said mills to them & their heires for euer; & further, the said administratrix shall pay vnto said Sarah Stockbridge & Elizabeth Stockbridge, when they shall come to the age of twenty one yeares, or vpon their \*marriage day, the sum of thirty two pounds ten shillings a peice, as they shall come to age or marry; that is to say, out of the moueable estate, as it was prized.

[\*29.]

6. And further, we doe agree & conclude that Abigall Stockbridge, the widdow of Charles Stockbridge, lately deceased, shall injoy all the houseing, & lands, & meadow, corne mill & saw mill, by & standing vpon the first herring brooke in Scituate, for her, the said Abigall vse, vntill Samuell Stock-


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[HINCKLEY,  
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PART II.

bridge, the youngest son of said Charles Stockbridge, comes to the age of twenty one years, & then Benjamine Stockbridge & said Samuell Stockbridge shall haue & enjoy for there own proper estate all the said houseing, lands, & meadow, corne mill & saw mill, near or vpon the said first herring brooke, (excepting the parlour for their mother to liue in,) to be equally deuided betwixt them, the said Benjamine & Samuell Stockbridge, with all the priuilidges & apurtenances therevnto belonging, to them and their heires for euer. The said Benjamine & Samuell Stockbridge rendering to their mother such rents as may be judged meete for her interest in said estate dureing her life, after said Benjamins & Samuells portions are deducted out of said lands, house, & mills, which is fifty pounds for Benjamins part, & fifty pound for Samuells parts, & said Benjamine & Samuell Stockbridge, after there said mothers decease, shall pay soe much, & to such as their said mother shall apointe, as there said mothers part shall then be found worth; her part being two thirds of said house, lands, & mills, & all the rest of the estate of Charles Stockbridge, deceased, of what kind or sort soeuer. The said widdow Stockbridge is to haue it for the payment of the portions aboue said, bringing vp of the children & her owne support, & payment of debts. In witness wherof, wee, Abigall Stockbridge, Charles Stockbridg, Thomas Stockbridge, Henry Josling, Abigall Josling, and Sarah Stockbridge, haue sett our hands & seales this thirtieth day of May, one thousand six hundred eighty & foue.

The marke of ABIGALL A STOCKBRIDGE,  
CHARLES STOCKBRIDGE,  
THOMAS STOCKBRIDGE,  
HENRY JOSLING,  
The marke of ABIGALL A JOSLING,  
SARAH STOCKBRIDGE.



Signed, sealed, & deliuered, each to other of them, in the presence of vs,

John Cushing, Sen<sup>r</sup>,  
Samuell Clap.

The Court allowes & confirms the settlement of the estate aboue written.  
Attests,

NATHANIELL MORTON, Secretary.

& now transcribed by me.

NATHANIELL CLARKE, Secretary.

Charles Stockbridge, the eldest son of Charles Stockbridge, deceased, being present in Court, acknowledged his free consent thereunto before the Court.

1685.

[HINCKLEY,  
GOVERNOR.]  
PART II.

NATHANIELL MORTON, Secretary.

And now transcribed by me,

NATHANIELL CLARKE, Secretary.

\*On the motion & request of the principle men amongst the Indians commonly called the South Sea Indians, liueing about Satuite Pond, Marshpey, & places adjacent, that the tracts of lands formerly giuen by Tookenchosen & Weepqush, Indians, as p deed, vnder their hands & seales, baring date the 11<sup>th</sup> of Decem<sup>br</sup>, 1665, & acknowledged before John Freeman, Assistants, the 7<sup>th</sup> of the 4<sup>th</sup>, 1667, may appeare, & confirmed vnto them by Quachatesett, sachem of Mannomet, acknowledged befor M<sup>r</sup> John Alden, Assistants, the 31<sup>st</sup> of the 8<sup>th</sup>, 1672, might by this Court be confirmed to them, & secured to said South Sea Indians & their children for euer, soe as neuer to be giuen, sold, or alienated from them without all their consents, except such parcells of vpland & meadow as hath allready been by their consents granted or sold to M<sup>r</sup> Richard Bourne, late of Sandwich, deceased, & to his son, Sheirjashub Bourn, of Sandwich aforesaid, hereafter mentioned.

[\*30.]

The tract of land desired by said Indians, to be secured for them & contained in said deeds, are all the lands lieing between the line which runs between Barnstable lands & said Indians on the east, leauing the skirts of good land lying next the east side of Satuite Pond vnto said Indians, according to the known & accustomed bounds thereof, & there extending westerly to the westward of Wequayett to a litle creeke or place sofitimis called Manomoyest, & to the mouth of said Wequayet Harbor to the sea, & from said Manomoyest into the land vnto Ashimuite Pond, & halfe a mile to the westward of said pond, & so from pond to pond & place to place as is the known northerly bounds thereof, & southerly to the sea. The said parcells of lands which the said Indians desire to be excepted as aforesaid, & willing to haue confeirmed by this Court to M<sup>r</sup> Sheirjashub Bourne a<sup>n</sup> as followeth, viz<sup>t</sup>: a parcell of marsh, with two small islands in it, at Antaanta, & one halfe of the fresh meadow at Mashpey, bought for said Richard Bourn by M<sup>r</sup> John Alden, Assist<sup>t</sup>, by order of Court, as p deed baring date 25<sup>th</sup> of July, 1661, appeareth, & a parcell of vpland conteining about thirty acres, be it more or less, giuen by said Indians to said Richard Bourn, at a place called by the Indians Wootcakoospa, as p deed baring date 9<sup>th</sup> of March, 1672, &

1685. acknowledged before M<sup>r</sup> Nathaniell Baccon, Assist<sup>t</sup>, 3<sup>d</sup> of Juñ, 1672, doth & may appear. Alsoe, a ꝑcell of fresh meadow, with the swampes adjoining thereunto, being the other halfe of said fresh meadow bought by M<sup>r</sup> Alden aboute mentioned, sould to said Sheirjashub Bourne by said Indians, for him to build a meeting house for them, as ꝑ deed bareing date the 14<sup>th</sup> day of October, 1684, vnder their hands & scales doth & may appear.

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Also, a certain neck of barren land called Attaquahunchonitt, with all the meadow on both sides of said necke lieing, adjoining to the east side of Wequayett Riuier, & bounded as ꝑ a deed bareing date 10<sup>th</sup> day of December, 1684, under the hands & scales of said Indians agents, doth & may appear, being sold to said Sheirjashub Bourn for their redemption of their countryman, Tom Wampetucke, from his being sold out of the country for his misdemeanor, being not land fitt for planting, & was sold, with the aprobation of Thomas Hinckly, Gouverno<sup>s</sup>, & acknowledged before him with the aboue mentioned ꝑsells of land, at an Indian Court at Mashpey, in the presence of many of said Indians, 1684.

Ita attest. ꝑ dic<sup>t</sup>, THO: HINCKLY, Gou<sup>r</sup>.

The Court, on considerations of the ꝑmises, doth soe far confirme said land to the said Indians, to be perpetually to them & their children, as that no part of them shall be granted to or purchased by any English whatsoever, by the Courts allowance, without the consent of all the said Indians. And this Court doth also approue of, & soe far as concernes them, confirme said ꝑcells of land aboute mentioned vnto M<sup>r</sup> Sheirjashub Bourn, to him, his heires & assignes, for euer.

Attest, NATHANIELL CLARKE, Secretary.

24 April.  
[\*32.]

\*The twenty fourth of Aprill, 1685, James the Second, Kinge of England, Scotland, France, & Ireland, &c, was solely proclaimed at Plimouth, according to the form required by his majesties most honorable priuy councill.

[\*33.]


\*Know all men by these ꝑsents, that I, Nathaniell Morton, Senior, of the town of Plimouth, in y<sup>e</sup> jurisdiction of New Plimouth, in New England, in America, doe acknowledge, that for & in consideration of the sum of fifty shillings, in weauing of cloth, to mee already payed by John Wood, alias Attwood, of the town aforesaid, deceased, with which said sum I doe acknowledg my selfe fully payed, & therof & of euery part & parcell therof, doe exonerate, acquit, & discharge the said John Wood, alias Attwood, hee, his heires, executors, administrators, & assignes for euer; by these ꝑsents haue bargained,

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allienated, & sold, infeofed & confirmed, and by these p̄sents doe bargaine, allienate, sell, infeofe, & confirme from me, the said Nathaniell Morton, & my heires, to the heires of the said John Wood, to them, & their heires & assignes, for euer, all that my garden place in the town of Plimouth aforesaid, in the New Street, formerly com̄only soe called, lyeing next vnto the garden place or homestead of Thomas Lettice, whereon he is now seated & doth now liue, bounded with the said Thomas Lettice, whereon he is now seated & doth liue, bounded with the said Thomas Lettice, his said homstead on the east or easterly side, & with the high way or com̄on roade on the westerly side, the southerly end abutting on the land of M<sup>r</sup> John Cotten, & the northerly end on the street aforesaid; to haue & to hold all that my homstead or garden place, with all & singular the proffitts, emunities, & priuillidges belonging therevnto, to belonge vnto the heir or heires of the said John Wood, deceased, to them & euery of their heires & assignes for euer; the said garden plott, with all & singular my right, title, & interest of & into the same, to belonge & apertaine to the only proper vse & behoofe of the heir or heires of the said John Wood, deceased, to them & euery .of them, & their heires, for euer. In wittness hereof, I, the said Nathaniell Morton, haue herevnto sett my hand & seale, the 27<sup>th</sup> day of August, anno Dom̄ one thousand six hundred seenty & nine, 1679.

The words (and their heires,) between the 22 & 23 line, was enterlined before the ensealing hereof, & the word (same,) between the 20<sup>th</sup> & one & twentieth.

NATHANIELL MORTON, Senior, and a  Seale.

Signed, sealed, & deliuered in the p̄sence of

Andrew Ring,

The marke of Hannah O Morton.

This act & deed was acknowledged to be the free act & deed of Nathaniell Morton aboue written; soe acknowledged before mee,

WIL<sup>L</sup> BRADFORD, Assistant.

The 8th of September, 1679.

\*To all people to whome these p̄sents shall com, Nathaniell Wood, alias Attwood, of New Plymouth, in New England, sendeth greeting, &c. Know yee, that I, the said Nathaniell Wood, for & in consideration of the full & just sum of four pounds of curant mony of New England aforesaid, to mee

[\*34.]

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in hand by M<sup>r</sup> Nathaniell Clarke, of the town & colony of New Plimouth aforesaid, at the time of the ensealing & deliery of these p<sup>s</sup>ents well & truly paid, with which said sum I acknowledge my selfe to be fully contented, paid, & satisfied, & thereof & of euery part & p<sup>s</sup>ell thereof do clearly acquit, exonerat, & discharge the said Nathaniell Clarke, his heires & assignes, & euery of them, for euer; by these p<sup>s</sup>ents haue giuen, granted, bargained, sold, aliened, enfeofed, & confirmed, & by these p<sup>s</sup>ents, for my selfe & my heires, do fully & absolutly giue, grant, bargaine, sell, aliene, enfeofe, & confirme vnto the said Nathaniell Clarke, & to his heires & assignes for euer, all that my small pention, platt, or portion of land, scituate, lyeing, & being in the towne of Plimouth aforesaid, & is bounded toward the south p<sup>r</sup> the lands formerly of M<sup>r</sup> Stephen Hopkins, deceased, but late in the tenure of James Cole, & towards the west by the high way or country road, & towards the north p<sup>r</sup> the street comonly called New Street, and toward the east by the land late of Thomas Lettice, deceased; the whole platt of land extending in length & fronting on the said road or high way fourteen rodde or perches, & in depth to the lands of said Thomas Lettice, four perches twelue feet & an halfe of a foot, together with all my right, title, & interest that I haue in or vnto the same, or to any part or parcell therof, with all & singular the rights, priuiledges, & apurtenances there vnto belonging or in any wise aperteining; to haue & to hold the said bargained platt or pention of land, with y<sup>e</sup> apurtenances, to him, the said Nathaniell Clarke, & to his heires & assignes, for euer, to his & their alone proper vse, benefitt, & behoofe for euer; & I, the said Nathaniell Wood, alias Attwood, for my selfe, my heires, executors, administrators, & assignes, to & with the said Nathaniell Clarke, his heires & assignes, do couenant & grant by these p<sup>s</sup>ents in manner following, that is to say: that at the time of ensealeing hereof, I, the said Nathaniell Wood, haue full power & lawfull authority to grant, sell, & dispose of the said bargained primises in maner & form aforesaid; and that it shall & may be lawfull to & for the said Nathaniell Clarke, his heires & assignes for euer hereafter, to haue, hold, possess, & enjoy the aboue mentioned granted primises, with the apurtenances, without any lawfull lett, disturbance, or euiction of me, the said Nathaniell Wood, my heires or assignes, or of any other p<sup>son</sup> lawfully claiming any title thereunto, & all by force & virtue of these p<sup>s</sup>ents; &, lastly, that Sarah, my mother, relict widdow of my late father, John Wood, alias Attwood, & Mary, Sarah, Abigail, Mercy, Elizabeth, & Hannah, my sisteres, the daughters of the said John Wood, shall all & euery of them, at the reasonable request of the said Nathaniell Clarke, appear before the Court or some magis-

trate of this colony, &, for each of themselues & their heires, acquitt & release & giue vp their intrest which they haue, or may pretend to haue, to all or any part of the said bargained primises, whether in possession or in reuersion. In wittness whereof, & for the sure performance of the primises, I, the said Nathaniell Wood, alias Attwood, haue hereunto sett my hand & seale, on this twenty fourth day of June, anno Dominic one thousand six hundred eighty & fiue, 1685.

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NATHANIELL WOOD, & a

Seale.

Signed, sealed, & deliuered in the p̄sence of  
Sam<sup>l</sup> Sprague,  
Elizabeth **E** Bonum, her marke.

The within & aboue named Nathaniell Wood, alias Attwood, appeared the day of the date hereof, & acknowledged this instrument to be his free & volluntary act & deed. Before mee,

WILL BRADFORD, Deputy Gouvern<sup>r</sup>.

Sarah Wood, relict widdow of John Wood herein named, appeared on the same twenty fourth of June, & resigned vp all her intrest in the land herein mentioned unto Nathaniell Clarke herein named, & to his heires & asignes for euer; and also Mary, the wife of Major William Bradford, with his allowance, & Sarah, the relict of John Followay, & Mercy Wood & Hannah Wood, at the same time also appeared, & gaue vp & released their right, each of them, to said lands, for her selfe & heires, to said Nathaniell Clarke, & to his heires & asignes for euer.

Before mee, WILL BRADFORD, Deputy Gouvern<sup>r</sup>.

July 10<sup>th</sup>, 1685. Elizabeth Nye, the wife of Caleb Nye, with his allowance, appeared, & gaue vp her intrest & right in the lands within mentioned to said Nathaniell Clarke, & to his heires & asignes for euer.

Before mee, WILL BRADFORD, Deputy Gouer<sup>r</sup>.

1685. \*Att the Generall Court held att Plimouth the second Day of June,  
1685.

2 June.

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[\*36.]

BEFORE Thomas Hinckley, Esq<sup>r</sup>, Gouer<sup>r</sup>, Daniell Smith,  
William Bradford, Esq<sup>r</sup>, Deputy Gou<sup>r</sup>, Barnabas Lothrop, &  
John Alden, John Thatcher, &  
John Freeman, John Walley,  
Assistants.

THOMAS HINCKLEY, ESQ<sup>R</sup>, was chosen Gouer<sup>r</sup>, & sworne.  
William Bradford, Esq<sup>r</sup>, was chosen Deputy Gouer<sup>r</sup>, & sworne.  
John Alden, }  
John Freeman, } were chosen Asistants, & sworne.  
Daniell Smith, }  
Barnabas Lothrop, }  
John Thatcher, }  
John Walley, }

Deputies.

Plimouth, . . . . .	{ Leu <sup>tt</sup> Ephraim Morton, Joseph Warren.
Duxbury, . . . . .	{ Cap <sup>t</sup> ^ Standish, Benjamine Bartlett, Sen <sup>r</sup> .
Scitua <sup>t</sup> , . . . . .	{ M <sup>r</sup> John Cushen, Samuell Clapp.
Sandwich, . . . . .	{ Stephen Skiffe, Thomas Tupper.
Tanton, . . . . .	{ Ensign Thomas Lennord, Serj <sup>tt</sup> W <sup>m</sup> Witherell, Sen <sup>r</sup> .
Rehoboth, . . . . .	{ Leiu <sup>tt</sup> Nicklas Pecke, Gillbert Brookes.
Barnstable, . . . . .	{ Cap <sup>t</sup> Joseph Lothrop, Ensign Shuball Dimack.
Yarmouth, . . . . .	{ M <sup>r</sup> Jerimiah Howse, Leiu <sup>tt</sup> Silas Seeres.
Marshfeild, . . . . .	{ Cap <sup>t</sup> Nathaniell Thomas, Leiu <sup>tt</sup> Isaac Little.
Eastham, . . . . .	{ Cap <sup>t</sup> ^ Sparrow, John Doane.



Swansey, . . . . .	Hugh Cole.
Dartmouth, . . . . .	Joseph Tripp.
Midlebury, . . . . .	John Tomson.
Bridgewater, . . . . .	Leiu <sup>t</sup> Thomas Howard.
Bristol, . . . . .	{ Mr Stephen Burton, Mr John Roggers.
Litle Compton, . . . . .	Henry Head.
Freetown, . . . . .	Joseph Bayley.

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 {  
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Constables.

Plimouth, . . . . .	John Rickard.
Duxbury, . . . . .	{ Leiu <sup>t</sup> Robert Barker, Samuell Bartlett.
Scituate, . . . . .	{ Nathaniell Church, Samuell Holebrooke.
Sandwich, . . . . .	Ambross Fish.
Tanton, . . . . .	{ John Richman, James Walker, Sen <sup>r</sup> .
Rehoboth, . . . . .	{ Thomas Cooper, Joseph Pecke.
Barnstable, . . . . .	Thō Huckines.
Yarmouth, . . . . .	Elisha Hedge.
Marshfeild, . . . . .	{ Samuell Doggett, Jonathan Crucker.
Easham, . . . . .	Benjamine Higgines.
Bridgewater, . . . . .	Nick: Byram, Jun <sup>r</sup> .
Swansey, . . . . .	{ John Wheedon, Robert Stanford.
Dartmouth, . . . . .	William Wood.
Midlebury, . . . . .	John Allen.
Bristol, . . . . .	Capt Nath <sup>l</sup> Hayman.
Litle Compton, . . . . .	Josiah Clauson.
Freetown, . . . . .	William Makepeace.

\*Returned to serue on the Grand Jury.

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Plimouth, . . . . .	{ William Harlow, Sen <sup>r</sup> , Baruch Jordan.
Duxbury, . . . . .	{ Robert Barker, Sen <sup>r</sup> , Josiah Wormeall.

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Scituate, . . . . .	{ Benjamin Studson, William Perry.
Sandwich, . . . . .	{ Mathias Ellise, Joshua Blackwell.
Tanton, . . . . .	{ James Lenord, Jun <sup>r</sup> , Malachy Holloway.
Rehoboth, . . . . .	{ William Sabine, John Titus, Sen <sup>r</sup> .
Barnstable, . . . . .	{ Thomas Hinckley, Richard Child.
Yarmouth, . . . . .	{ John Miller, Richard Taylor.
Marshfeild, . . . . .	{ John Foster, John Rouse.x
Eastham, . . . . .	Samuell Paine.
Bridgewater, . . . . .	Edward Michell.
Swanzey, . . . . .	Capt <sup>n</sup> John Brown.
Dartmouth, . . . . .	Thomas Briggs.
Midleborough, . . . . .	Obadiah Eddy.
Bristol, . . . . .	Inceas Robinson.
Litle Compton, . . . . .	Simon Rouse.x
Freetown, . . . . .	Joshua Tisdell.
Manomoytt, . . . . .	Hugh Steward.

## Surueighors.

Plimouth, . . . . .	{ Joseph Warren, James Cole.
Duxbury, . . . . .	{ John Simons, Joseph Howland, William Tubbs.
Scituate, . . . . .	{ William Randell, John Booth, Edward Jenkines.
Sandwich, . . . . .	{ ^ ^ ^ ^
Tanton, . . . . .	{ John Briante, Joseph Twisdell.
Rehoboth, . . . . .	{ Richard Bowen, Sen <sup>r</sup> , John Doggett.

Barnstable, . . . . .	{	^ ^
Yarmouth, . . . . .	{	Thomas Sturgiss, Annianias Winge.
Marshfeild, . . . . .	{	Joseph Waterman, Ralph Powell.
Eastham, . . . . .	{	John Freeman, Jun <sup>r</sup> , Thomas Paine, Jun <sup>r</sup> .
Bridgwater, . . . . .	{	Joseph Alden, Comfort Williss.
Swanzy, . . . . .	{	William Salsbury, John Martin, John Paddock.
Dartmouth, . . . . .	{	James Sissell, John Russell, Jun <sup>r</sup> , Josiah Smith.
Midlebrough, . . . . .	{	John Nelson, Dauid Wood.
Bristol, . . . . .	{	John Smith, Nick: Meade.
Litle Compton, . . . . .	{	Jonathan Thirston, William Brigs.
Free Town, . . . . .	{	John Simons, Benjamin Chase.

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\*Select Men.

[\*38.]

Plimouth, . . . . .	{	William Harlow, Leiu <sup>tt</sup> Joseph Howland, Isaac Cushman.
Duxbury, . . . . .	{	Ensign John Tracy, Benjamin Bartlett, Sen <sup>r</sup> , Francise Barker.
Scituate, . . . . .	{	M <sup>r</sup> John Cushen, Jeremiah Hatch, Samuell Clapp.
Rehoboth, . . . . .	{	Cap <sup>t</sup> Peter Hunt, Leiu <sup>tt</sup> Michael Pecke, Gillbert Brookes, John Pecke, William Sabin.

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Tanton, . . . . .	{ Walter Deane, William Whitherly, John Hall, Thomas Lenord, George Macy.
Swanzey, . . . . .	{ Cap <sup>t</sup> John Brown, Obadiah Bowen, Hugh Cole.
Midleborough, . . . . .	{ John Tompson, John Nelson, Isaac Howland.
Bridgwater, . . . . .	{ Deacon Willis, Leiu <sup>t</sup> Howard, Samuell Eddson.
Yarmouth, . . . . .	{ Edmund Hawes, Joseph Howse, John Miller, Jerimiah Howse, Silass Seeres.
Eastham, . . . . .	{ Cap <sup>t</sup> Sparrow, John Doane, Marke Snow.
Dartmouth, . . . . .	{ Seth Pope, Jonathan Russell, Thomas Tabor.
Marshfeild, . . . . .	{ Cap <sup>t</sup> Nathaniell Thomas, Ensign William Ford, Sen <sup>r</sup> , Serj <sup>t</sup> Nathaniell Winslow.
Barnstable, . . . . .	{ Cap <sup>t</sup> Joseph Lothrop, Leiu <sup>t</sup> John Howland, Ensign Shuball Dimick.
Sandwich, . . . . .	{ William Swift, Sen <sup>r</sup> , Stephen Sciff, Thomas Tupper.
Litle Compton, . . . . .	{ Cap <sup>t</sup> Richmund, William Pabody, William Southworth.
Free Town, . . . . .	{ Mr Terry, Thomas King, John Bayley.

Bristol, . . . . . { John Carye,  
John Roggers,  
Jabez Howland.

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Cap<sup>t</sup> Nathaniell Thomas, } Chosen Associats  
M<sup>r</sup> John Cushen, } for the  
Leiu<sup>tt</sup> Ephraim Morton, } County of Plimouth.  
Leiu<sup>tt</sup> ^ Pecke, } Chosen Associats  
Insign Lenard, } for the  
Joseph Church, } County of Bristoll.

Chosen for to add to the Council of Warr.

For the County of { Cap<sup>t</sup> Nath<sup>l</sup> Thomas,  
Plimouth, } Leiu<sup>tt</sup> Ephraim Morton.  
For the County of { Cap<sup>t</sup> Joseph Lothropp,  
Barnstable, } Cap<sup>t</sup> ^ Sparrow.  
For the County of { Cap<sup>t</sup> ^ Hunt,  
Bristoll, } M<sup>r</sup> Nathaniell Bifeild.

Major W<sup>m</sup> Bradford, } Chosen { Plimouth,  
Cap<sup>t</sup> John Walley, } Majors for { Bristoll,  
Cap<sup>t</sup> John Freeman, } the Countys of { Barnstable.

\*Juñ Court. Voted, that Indian corne, for defraying publicke charge & [\*39.]  
payeing all publicke officers, bee at two shillings six pence p<sup>r</sup> bushell.

That the Secretaryes wages bee fifteen pounds a year, in corn att two  
shillings six pence p<sup>r</sup> bushell.

That besides what hath allready been giuen Nathaniell Hall, there bee  
thirty pounds in mony more rayسد & giuen to s<sup>d</sup> Nath<sup>l</sup> Hall, & six pounds  
p<sup>r</sup> annum from the date hereof, to be paid in such pay & att such times as  
the country rates are paid in: prouided, said Nath<sup>l</sup> Hall takes vp with the  
same before the Court, the same being complied with dureing his life, (if there  
be a continuation of this gouernment,) as full satisfaction of all demands from  
the country, in reference to his wounds & damage receiued in the warrs.

Nathaniell Hall apeared in the Generall Court & accepted of the aboue  
grant according as is there expressed.

As to the settling of the estate of Henry Sanders, of Sandwich, the  
Court orders, that the relict of s<sup>d</sup> Sanders shall haue one third part of the  
whole estate, & the house & lands shall be the two sons. The eldest shall

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haue a duple part of s<sup>d</sup> house & land, hee paying forty shillings to his youngest sister; & the youngest son shall haue a single part of s<sup>d</sup> house & lands, hee paying to his youngest sister twenty shillings; & the four daughters is to haue five pounds a peice of said estate; & what of the estate doe remaine, the relict shall haue for the paying of debts & bringing vp the children.

The Court haue ordered, that the county of Plimouth shall haue the vse of the lower roomes of the country house att Plimouth, to keep their county courts in, & the vse of the countrys prisson at Plimouth to comitte prissoners into, without being charged as a county for repaire of the same, dureing the time the County Courts shall be held att Plimouth.

Nathaniell Clarke was chosen Secretary, & sworne in Court.

Ordered, thatt Litle Compton & the villiages belonging to y<sup>e</sup> constablerick, pay this year fifteen pounds, to be rayسد according to law, for the encouragm<sup>tt</sup> of soñ to preach the word of God among them, or otherwise to be disposed of, according as the law hath prouided.

Orderd, that Dartmouth pay this yeare twenty pounds, to be rayسد according to law, for the encouragm<sup>tt</sup> of soñ to preach the word of God among them, or otherways to be disposed of, according as the law hath prouided.

[\*40.]

\*Juñ Court. The Court orders, that M<sup>r</sup> Barnabas Lothrop do giue M<sup>r</sup> Jonathan Russell his oath to Rogger Goodspeeds will.

The Court orders, that Cap<sup>t</sup> John Thatcher & M<sup>r</sup> Barnabas Lothrop to settle the estate of William Chase, of Yarmouth, deseased.

The Court orders, that the high way ouer Setuckett Riuer be laid out three or four rodd higher then formerly the road was, in the most conuenient place.

The Court hath granted liberty to Serg<sup>tt</sup> William Witherell, of Tanton, to retaile cider, beeir, & strong liquors.

The Court orders M<sup>r</sup> Barnabas Lothrop, Cap<sup>t</sup> Sparrow, Leiu<sup>tt</sup> Litle, to take the countryes account of the Treasurer.

The Court orders to the town of Free Town, towards a minister & a meeting house for their encouragement therin, tenn pounds out of the fines of p<sup>s</sup>entm<sup>tt</sup>s.

William Walker, of Eastham, haueing two naturall sons in the training band, & one killed in the warrs, & some weakness & infirmitye of body, the Court orders, that hee, the said William Walker, from hence forward shall be excused from training.

Whereas Jonathan Hatch, of Suconessett, hath had a licence to keep a house of entertainment, the Court hath granted liberty to the said Hatch to keep a vittualing house & retaileing liquor for the entertainm<sup>tt</sup> of strangeres, passingers, or others, as occasion may require.

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The Court haue impowered & requested Cap<sup>t</sup> Nath<sup>l</sup> Thomas & M<sup>r</sup> Samuell Sprague forthwith to accompany the now Secretary, Nath<sup>l</sup> Clarke, to the house of the late Secretary, & ther, for the vse of this colony, demand & deliuer to the said Nath<sup>l</sup> Clarke all such bookes & papers as they shall find at s<sup>d</sup> house that belonge to the Court or colony.

Ita attest.

THO: HINCKLY, Gou<sup>r</sup>.

Memorandum, July 9<sup>th</sup>, 1685. Att the Court.

9 July.

Cleared.	{	There appeared Mosess Knapp, & acknowledged to	ii   s   d
		owe vnto our souer <sup>t</sup> lord the King the sum of . . .	40 : 00 : 00
		John Hathway, of Tanton, the sum of . . . . .	20 : 00 : 00
		Insigne Thomas Lennord, of Tanton, the sum of . . .	20 : 00 : 00

The condition, that if Moses Knapp doe appear at the Court to be holden at Plimouth the last Tuesday in October next, to make further answere vnto such perticulars as shall be enquired of, or laid vnto his char<sup>g</sup> concerning the death of Richard Stephens, Jun<sup>r</sup>, of Tanton, & not to depart without licence, that then

\*July Court. Thomas Lewes, Seni<sup>r</sup>, being clerke of the records of the proprietors of Suckonessett, appeared before the Court this 9<sup>th</sup> of July, 1685, & declared that the proprietors of Suckonessett did own Jonathan Hatch, Sen<sup>r</sup>, of same place, to be an equall purchasser & proprietor with them; that is to say, one whole share in all the lands of Suckonessett.

[\*40<sup>b</sup>.]

Wheras information was giuen against Caleb Hopkins, of Eastham, of his suplyeing the Indians with strong liquor, & he being bound ouer to this Court, & he refusing to giue his oath for his cleareing according to law, this Court hath sentanced him to pay fise pound fine, silluer mony, to the country Treasurer, according to law in that case made & prouided, which if he refuse to doe, is to be comitted to prisson vntill he shall be willing soe to doe.

Afterwards his request hath been to the Court to putt in security to trauerse his conuiction of said fact the next Court, & bee tryed by a jury.

July 11 <sup>th</sup> , 1685. Hee hath liberty of the Court soe to doe, giueing good security for the same. Whervpon Caleb Hopkins appeared, & acknowledged to owe vnto our souer <sup>t</sup> lord the King the sum of . . . . .	}	ii   s   d 10 : 00 : 00
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11 July.

& William Ringe, of Plimouth, the sum of . . . . . 05 : 00 : 00

The condition, that if the aboue bound Caleb Hopkins shall & doe appear att his maj<sup>ties</sup> Court to be held att Plimouth the last Tuesday in October next, & doe there & then trauers his conuiction of his furnishing of, or procuring to or for, any Indians, att any time in Aprill last past, any strong liquor, by what-

Released.

1685.

11 July.  
HINCKLY,  
GOVE<sup>r</sup>.  
PART II.  
P<sup>d</sup> his fine to  
y<sup>e</sup> Treasurer,  
4<sup>d</sup> 10<sup>s</sup> 00<sup>d</sup> in  
mony.

soeuer means it be called, for which he was sentenced as aboue, & abid by & perform what on said tryall shall, p<sup>r</sup> said Court, then & their enjoyed him; that then, &c.

The jury find Caleb Hopkins guilty by the law of this colony, October Court, 1685.

Juñ, 1685. We present John Read, of Freetown, for buying a beaner skinn on the Lords day, some time this last spring. Being conuict thereof by his own acknowledgement, is fined forty shillings.

October, 1684. Wee present James Bucker & Mary Bucker his wife, of Scituaſ, for fornication. Being conuict thereof by his own acknowledgm<sup>t</sup>, is fined fise pounds.

John Dexter, of Sandwich, in answer to his p<sup>r</sup>sentment, was fined ten shillings, & paid it to the Treasurer.

11 June.  
[\*41.]

\*To the Honoured Gouver<sup>r</sup>, & Deputy Gou<sup>r</sup>, & Asistants, sitting at Plimouth in New England, the first Tuesd in Juñ, 1685.

Yo<sup>r</sup> Humble petiſioners petitioneth.

God by his prouidence hath placed the bounds of our habitation in Bridgwater, & on the eastern sid of the town, & about two miles some of us & soñ three miles from the meeting house & mill, & chiefe part of the town; & though we haue liued their many years, soñ of us haue had no way into the town, but what we haue had vpon sufferance through mens lands that haue been laid out, & of our own making of bridges to pass ouer a riuier that lyes between soñ of vs & the town; we haue mad & kept vp a horse bridg ouer this riuier, called Mattfeild Riuier, many years, which has been a great benefitt to us that liue there, & to many others, & strangers that haue occasion to pass that way, especialy in times of great floods, it being the best place & most conueniant for a bridg in a mile vp & down the riuier, which runs about south & north for the length of it; but the lands being laid out on both sids of it, & butting vpon this riuier, our bridg lyeing ouer this riuier, vpon the northerly side of a twenty acre lott, the owner of the land has fenced it in; & now we haue no way to go to the town without goeing three quarters of a mile about, & partly vpon sufferance, too many of us, wee thinke it is very hard that liueing in a wilderness, we cannot haue conuenient roome for high wayes. We haue made our case known to the town, & cann haue no helpe. This lott where our bridg lyes is the cheifest hinderance, & yett there is coñon land joyning to the lower sid of it, left as we vnderstand by the ob-feofewes for allowance for a high way, but of it selfe it is altogether vncapable of a way. There is many others in y<sup>e</sup> town that desires there might be a sworn jury to



lay out such high wayes as are needfull & to perfect such as are begun. Soe, 1685.  
 desiring yo<sup>r</sup> help as God shall direct you, yo<sup>r</sup> humble petitioners,

SAMUELL ALLEN, Sen<sup>r</sup>.  
 WILLIAM BREETT,  
 ISAAC HARRIS,  
 JOHN HOWARD, Jun<sup>r</sup>.  
 JONATHAN HILL,  
 THOMAS WHITMAN,  
 SAMUELL ALLENE, Jun<sup>r</sup>.

11 June.  
 HINCKLY,  
 GOVER<sup>r</sup>.  
 PART II.

In answe<sup>r</sup> to the petition aboue mentioned, the Gouer<sup>r</sup> & Asistants haue ordered, that there be a jury impaneled out of yo<sup>r</sup> town to lay out a way where it may be most conueniant to the neighbourhood, & least prejuditiall to the other psons concerned.

Dated at Plimouth, Juñ 11<sup>th</sup>, 1685.

By order of the Gouer<sup>r</sup>.

NATH<sup>LL</sup>. CLARKE, Secretary.

[In the handwriting of Mr. Samuel Sprague.]

\*To the Chief Marshall of the Colony of New Plimouth, or to the Constables of Scituate, or either of them, greeting.

18 July.  
 [\*42.]

Whereas at his majesties Court held at Plimouth, the first Tuesday of this instant July, Cap<sup>t</sup> John Williams, of Scituate, prosecuted an action of review of a former action against Thomas Waid and Timothy White, both of s<sup>d</sup> Scituate, and at s<sup>d</sup> Court obtained a verdict & judgment against said Waid and White of sixteene pounds and seven shillings, silver money, damage, and the cost of suit, which cost allowed by the Court is thirty six shillings & six pence, money, as p<sup>r</sup> Court records may appear. Wherefore these are in his majesties name to require you, or either of you, on receipt hereof, to go to the said Waid and White, or to the place of the abode of one of them, and demand the said sum of damage and cost, which is in all eighteen pounds three shillings and six pence, in money; and in case of neglect of payment, that you levy by distress on their estate, or on the estate of ether of them, so much as will satsisfie the said whole sum of eighteene pounds three shillings and six pence, in mony, the charge of this execution, and your owne allowed fees, and deliuer the said sum of cost and damage, clear of charge, to the said John Williams; and in case you find not estate sufficient to satsisfie as above said, that then you seize and secure the persons of the said Waid and White, or the person of one of them, and him or them conduct to the keeper of his

1685.

18 July.  
[HINCKLEY,  
GOVERNOR.]  
PART II.

majesties prison at Plimouth, who is hereby, in his majesties name, required him or them so brought to receive, and by imprisoment safely to keepe till they or he shall satisfie the sum abovsaid, and all other necessary charges about the same, or shall otherwise by law be delivered. Whereof faile you not at your perrill.

Dated this 18<sup>th</sup> day of July, 1685.

JOHN ALDEN, Assisť.

After I had received this execution, I repaired to the house of Timothy White and Thomas Waid, and there demanded the sum within mentioned of said White and Waid, and the said Waid told me that he would set out estate to levy said execution upon according to law ; then I went to said Williams and desired him to chuse an apprizer to prize the estate of s<sup>d</sup> Waid, but s<sup>d</sup> Williams utterly refused to chuse a prizer to prize said estate, and said he would not take it, but urged me to levy s<sup>d</sup> execution vpon the body of s<sup>d</sup> White, and cařy him to his majesties goal at Plimouth, and charged me not to deliver s<sup>d</sup> execution to the keeper of s<sup>d</sup> goal, but s<sup>d</sup> Williams told me that a copy under my hand of s<sup>d</sup> execution was sufficient for said goal keeper. And I, being ignorant of the law, seized the body of the s<sup>d</sup> White, and caried him to s<sup>d</sup> goal keeper at Plimouth, and there tendered s<sup>d</sup> White to said goal keeper, together with a copy of s<sup>d</sup> execution, and s<sup>d</sup> goal keeper refused to take s<sup>d</sup> White into his custody. And since I proffered s<sup>d</sup> Williams to satisfie s<sup>d</sup> Williams the full contents of s<sup>d</sup> execution if said Williams would set time & place and chuse his prizer, and I would chuse another ; but said Williams utterly refused soe to doe ; and afterwards I tendered s<sup>d</sup> Williams estate to satisfie the full contents of s<sup>d</sup> execution, which Williams refused alsoe.

This is a true return of my proceeding in this execution.

By me, SAMUEL HOLBROOKE,

Dated May 31, 1686.

Constable of Scituate.

A true record of s<sup>d</sup> execution & constables return on it.

As attests

SAM<sup>L</sup> SPRAGUE, Recorder.

[In the handwriting of Secretary Clarke.]

\* *At a Generall Court of his Maj<sup>ty</sup> holden att Plimouth October  
27<sup>th</sup>, 1685.*

1685.

27 October.

HINCKLEY,  
GOVER<sup>r</sup>.

PART II.

[\*43.]

BEFORE Thomas Hincly, Esq <sup>r</sup> , Gouver <sup>r</sup> ,	Daniell Smith,
William Bradford, Esq <sup>r</sup> , Deputy Gouver <sup>r</sup> ,	Barnabas Lothrop,
John Alden,	John Thatcher, &
John Freeman,	John Walley,

Asistants in gouernment.

**M**OSSES KNAP, of Tanton, being found guilty of the death of Richard Steuens, by missaduenture, by the grand jury of our soueraign lord the King for this colony, he, the said Knap, owning the same & referring himselfe to the Court, the Courtt, considering it was causuall, & hee cleared by the party before his death, & no relation apareing against him, doe therefore admonish the s<sup>d</sup> Knap & dismiss him.

Administration is granted by this Court to Elizabeth, the relict of Humphery Tiffany, deceas'd, on all the goods & chattells of s<sup>d</sup> Tiffany, she bringing in a true inuentory thereof, & giueing bond with two sufficient sureties for her administring according to law. Major John Walley is ordered by the Court to giue y<sup>e</sup> oath to the inuentory to s<sup>d</sup> Tiffany, & to deliuer her the letter of administration granted by the Court, she haueing giuen in bond as afore s<sup>d</sup>.

Administration is granted by this Court to Grace Smith, the relict of Ralph Smith, & Samuell Smith, son to the s<sup>d</sup> Ralph Smith, all of the town of Eastham, in the colony of New Plimouth in New England, deceased, on all the goods & chattells of s<sup>d</sup> Ralph Smith; she, the s<sup>d</sup> Grace Smith, & he, the s<sup>d</sup> Samuell Smith, giueing bond with two sufficient surtyes for their administring according to law, & Cap<sup>t</sup> John Freeman, of Eastham, Asis<sup>t</sup>, is ordered by the Court to deliuer them their letter of administration granted by the Court, they haueing giuen bond as afore s<sup>d</sup>.

This Court hath granted libertye to William Barrell, of Scituate, to retaille brandy & ru<sup>m</sup>e, by the gallond, to whomsoever he, the s<sup>d</sup> Barrell, shall see to be fitt & ciuill psons.

This Court graunts libertie to Leiu<sup>t</sup> John Howland, of Barnstable, to retaille cider that is of his own making for this ensuing year.

The jury find Caleb Hopkins guilty by the law of this colony.

Valentine Decr<sup>o</sup>, conuicted by his own confession of selling cider to the Indians, was sentenced to pay five pounds fine to the colony.

Paid his fine to  
the Treasurer,  
4<sup>u</sup> 10<sup>s</sup>.

1685.

27 October.  
HINCKLEY,  
GOVERNOR.  
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In answere to the petition of Valentine Decrō, the considering his pouerty & that his neighbors generally thinke he hath not been vsed to trangress in such kind, haue remitted the one halfe of his fine.

The Court giues order, that M<sup>r</sup> John Cushen giues Mary Dodson, Sen<sup>r</sup>, her oath to the will of Judeth Peakes; & also, that he giues Israell Peakes his oath to the inuenty of Judeth Peakes, if the executor desires itt.

The Court giues order, that Major John Walley & M<sup>r</sup> Daniell Smith, or either of them, that they giue Thomas Browman his oath to the will of Mary Wiatte.

[\*44.] \*The Court requests M<sup>r</sup> John Cushen, Cap<sup>t</sup> Standish, & Leiu<sup>t</sup> Jonathan Alden to take a veiw of the highway that goes through the land of Robert Stanford, laid out by the late jury; whether they can find a conuenient high way with less damage to the p<sup>t</sup>iculars then the s<sup>d</sup> highway, & make yo<sup>r</sup> report to the next Court, & the s<sup>d</sup> Stanford to satisfie yo<sup>r</sup> paines.

Discharged.

Memoran<sup>d</sup>, October 29<sup>th</sup>, 1685. John Mitchell & William Fobes are bound by this Court, jointly & seuerally, to the Treasurer of this colony, in the peanall sum of twenty p<sup>d</sup>, for the appearance of s<sup>d</sup> Michell att this Court to morrow morning, & to abide the sentence of the Court, & not to depart without licence.

John Michell being profered by the Court the benefitt of a jury, but he had rather submitt himselfe to the judgment of the Courtt.

Which accord-  
ingly was don.

The Court then gaue him this judgmentt: John Michell, conuict for fornication with Hannah Bony, for lasciuious carriages and speeches att sundry times, is sentanced to be seuerely whipt, & to giue bond with surtyes for for his good behaiour till March Court next, to stand comitted till sentence be pformed.

Memoranō. Att the Courtt, October 30<sup>th</sup>, John Michell appeared & acknowledged to owe vnto our soueraign lord the King the sum of fifty pounds. The condition of this recognisance is such, that if the aboue bounden John Michell shall be of good & peaceable behaiour towards our soueraign lord the King & all his leige people, & appear att his maj<sup>ties</sup> Courtt to be holden att Plimouth the first Tuesday in March next, that then, &c<sup>r</sup>.

The Court haue graunted libertye to Thomas Lenord & Shadrach Wileboar, both of Tanton, to sell strong liquors by the gallond, soe that they are carefull nott to sell to such as will abuse the same.

Administration is granted by this Court to Johu Hathway & Thomas Lenord, both of Tanton, in the jurisdiction of Plimouth in New England, on all the goods & chattells of Daniell Mackeney, of Tanton afores<sup>d</sup>, deceased, giueing bond for their administration according to law.

The Courtt orders & impowers Cap<sup>t</sup> Nath<sup>l</sup> Thomas & Justus Aims, of Marshfield, & Ensign Traccy, of Duxbury, that they & each of them repair to Scittuate, & run the lines of the farme that was so<sup>m</sup>time M<sup>r</sup> Timothy Hatherlyes, 400 acres according to reccord, & likewise measure Cap<sup>t</sup> John Williamses ru<sup>n</sup>ing lott soe called, being the ninth & fourteenth lott as apeares by Conahassett records, according to said Williamses bounds p<sup>r</sup>esented, or that hath been p<sup>r</sup>esented to the Court for euidence of s<sup>d</sup> land.

Administration is granted by this Court to Thomas Gillbertt, of Tanton, in the colony of Plimouth in New England, on the estate of James Wiatt, of Tanton afores<sup>d</sup>, deceased, giueing bond for his administration according to law.

\*Hannah Bo<sup>n</sup>y conuict for fornication with John Michell, & also with Nimrod, negro, & haueing a bastard child by s<sup>d</sup> Nimrod, is sentenced to be well whipt. [\*45.]  
Which accord-  
ingly was don.

Nimrod, negro, conuict for fornication with Hannah Bo<sup>n</sup>y, is sentenced to be seuerely whipt, & that s<sup>d</sup> Nimrod pay 18 *pence* p<sup>r</sup> weeke to said Bonny towards the maintainance of s<sup>d</sup> child for a year, if it liue soe long; & if he, or his master in his behalfe, neglect to pay the same, the s<sup>d</sup> negro to be putt out to seruice by the Deputy Gouer<sup>r</sup> soe long time, or from time to time, soe as to procure the same. Which accord-  
ingly was  
whipt.

To the Constable of Litle Compton, &c<sup>r</sup>.

Wheras the town of Litle Compton hath sent to the Court of Asistants a vote of the s<sup>d</sup> town vnder the hand of the town<sup>e</sup> clarke, wherein they manifest their refuseall of obeidiance to the orders of the Generall Court, not only in a way of neglect, but contempt, if the s<sup>d</sup> town shall still neglect to yeild obeidience to s<sup>d</sup> order, you are then, in his maj<sup>ties</sup> name, required to su<sup>m</sup>ons the inhabitants of yo<sup>r</sup> town p<sup>r</sup>sonally, or by their agents, to ap<sup>e</sup>ar att his maj<sup>ties</sup> Court to be holden att Plimouth, att March Court next, then & there to answere their contempt & neglect afores<sup>d</sup>.

To the Constables of Swanzy, greeting.

You & either of you are, in his maj<sup>ties</sup> name, required to take care to colect & gather such rates as are orderly co<sup>m</sup>itted to you, & the same, when receued, to be deliuered to M<sup>r</sup> John Allen, Deacon Butterworth, & M<sup>r</sup> William Ingram, who are, or the major part of them, to receiue & secure the same, & dispose thereof according as they shall receiue order from this Court, who will dispose the same according to law, & for the good of yo<sup>r</sup> town<sup>e</sup>.

1685.

27 October.  
HINCKLEY,  
GOVER<sup>r</sup>.  
PART II.

Memō. Two of the elect men of the town of Midlebury, viz<sup>z</sup>, M<sup>r</sup> John Tompson & John Nelson, appeared att his maj<sup>ties</sup> Court holden att Plimouth on the last Tuesday of October, 1685, & according to law complained that John Howard, Sen<sup>r</sup>, would not depart their town, being warned thereto by s<sup>d</sup> elect men according to law.

Indian, Joseph Wampus, who by mischance slew Will Wampus, ingaged before the Court to pay a debt of thirty one shillings in mony, which the s<sup>d</sup> Will Wampus owed to Cap<sup>t</sup> Nath<sup>l</sup> Thomas, & also to giue s<sup>d</sup> Wills mother a coat of two yards of duffles, but would not pay any other debts of the s<sup>d</sup> Wills.

1685-6.

*March Court, 1685-6.*

March.

[\*46.]

\*Whereas John Brandon, of Freetown, complains against Mathew Boomer, Jun<sup>r</sup>, of s<sup>d</sup> town, for that he, the said Boomer, hath sundry times beat him, the s<sup>d</sup> Brandon, & giuen out threatning speaches against him, in soe much that, as he saith, he goeth in fear of his life of him, & more especially in behalfe of himselfe & Mary, his wife; she complains against the s<sup>d</sup> Boomane, that att sundry times he hath attempted to abuse her, the s<sup>d</sup> Mary, attempting by force to lye with her, & for other lacinious cariages towards her. These, &c<sup>r</sup>.

1. The jury find the prisoner att the barr guilty of the breach of the Kings peace in striking of John Brandon. 2<sup>y</sup>. Also, by breaking the Sabboth by sufering his Indian seruants to hunt on the Sabboth day. 3<sup>y</sup>. Guilty of licinious carriages to Mary Brandon.

Mathew Boomer, Jun<sup>r</sup>, conuict of Sabboth breaking, breach of the peace, & lacinious carriages with Mary Brandon.

The Court orders s<sup>d</sup> Boomer to pay for Sabboth breaking twenty shillings fine to the country; for his breach of the peace, ten shillings; & for his lacinious carriage with Mary Boomer, the Court orders him, the said Boomer, to pay four pounds fine to the country, & charges of prosecution.

The bill of charges of prosecution is four pounds four shilling & six pence, allowed by the Court.

John Bayley, of Bristoll, accused for stealing, or being confederate with those that did steale, sundry ꝑcells of rigging & blockes, belonging to the owners of the shipp Bristoll Merchant, & for receiueing & disposing the same, being conuict by his own confession, —

The Court orders the s<sup>d</sup> Bayley to pay to the owners of the ship Bristoll Merchant three pounds in mony, & sentence him, s<sup>d</sup> Bayley, for his crime, to pay three pounds fine to the country, or be whipt, & to pay the charges of prosecution.

Soloman Curtice, of Bristoll, being complained of for receueing of goods stolen from the owners of the ship Bristole Merchant, & for concealeing or not timely discouering the same, —

The Court see cause, vpon the hearing of the case, to order s<sup>d</sup> Curtice to be admonished, & to cary backe the rigging, & blockes, & other things, in his custody, belonging to the owners of the shipp Bristole Merchant, & deliuer or cause to be deliuered att the town the same to some of the owners; & paying fees, is dismissed.

1685-6.

March.  
HINGLEY,  
GOVERN.  
PART II.

*\*Att y<sup>e</sup> Court of his Ma<sup>tie</sup> holden at Plymouth y<sup>e</sup> 2<sup>o</sup> of March, [47.]*  
1685-6.

BEFORE	Thō Hinckly, Esq <sup>r</sup> , Gou <sup>r</sup> ,	Daniell Smith,
	William Bradford, Deputy Gou <sup>r</sup> ,	Barnabas Lothrop,
	John Alden,	John Thacher,
	John Freeman,	John Wally,
	Assistants in gouernment.	

**A**DMINISTRATION was granted by this Court to M<sup>r</sup> John Vsher, merchant, in Boston, in y<sup>e</sup> county of Suffolke, in New England, on y<sup>e</sup> estate of Isaac Waldron, in the colony of New Plimouth, aforesaid, deceased, giueing bond for his administration according to law.

Daniel Eaton complained of for coming to inhabitt within y<sup>e</sup> colony without y<sup>e</sup> leave of y<sup>e</sup> Gou<sup>r</sup> & two majestates, as y<sup>e</sup> law directs, & lueing in the colony after warned out at y<sup>e</sup> least ten weekes before October last: y<sup>e</sup> Court orders s<sup>d</sup> Eaton to pay fieve shillings for each weeke, fine to y<sup>e</sup> cuntry, being in all fifty shillings, & for y<sup>e</sup> time since October Court, being y<sup>e</sup> matter was suspended by order of authority. The Court acquits said Eaton from any fine from that time, & for as much as s<sup>d</sup> Eaton hath y<sup>e</sup> aprobaton of many of y<sup>e</sup> towne of Little Compton for his dwelling in said towne, and that he hath his concernes in y<sup>e</sup> colony, & in hope of his yeilding obedience to y<sup>e</sup> lawes here established, as he hath promised, y<sup>e</sup> Gou<sup>r</sup> & majestates admitt s<sup>d</sup> Eaton an inhabitant into y<sup>e</sup> colony, he giueing security to y<sup>e</sup> towne of Little Compton, if they desire it, to saue them from any charge with him & his.

And vpon y<sup>e</sup> said Eatons petition, y<sup>e</sup> Court haue remitted halfe y<sup>e</sup> fine, that is, twenty fieve shillings, to y<sup>e</sup> cuntry.

Administration is granted by this Court to Samuel Lathropp, of Bridg-

1685-6.

27 October.  
HINCKLEY,  
GOU<sup>r</sup>.  
PART II.

water, in y<sup>e</sup> colony of New Plimouth, on y<sup>e</sup> estate of Marke Lathrop, of Bridgwater, afores<sup>d</sup>, deceased, giueing bond for his administration, according to law.

Relating to y<sup>e</sup> complaint exhibited to Maior Bradford, by Humphry Johnson, against Anthony Collimore, wherein he speaks of some persons that came armed with guns, y<sup>e</sup> s<sup>d</sup> Johnson, he in Court acknowledged that he did beleive that those persons that came soe armed did not intend violence therewith.

Robert Staples, of Sittuate, apered before y<sup>e</sup> Court; being convict of fornication, suffered corporall pnnishment.

In answe<sup>r</sup>e to a complaint of Robert Stanford, of Marshfield, concerning y<sup>e</sup> high way that goes through his land, this Court orders, that y<sup>e</sup> way shall goe where it did formerly, (that is to say,) y<sup>e</sup> old way by M<sup>r</sup> Arnolds, & not y<sup>e</sup> new way y<sup>e</sup> jury laid out last, till it be otherwise ordered.

[\*48.]

\*Memorand<sup>m</sup>, March 6<sup>th</sup>, 168<sup>5</sup>½. Att Court, there apeared Humphrey Johnson, of Hingham, & acknowledged to owe unto our soueraign lord the King the sum of two hundred pounds : 200<sup>l</sup>.

The condition that if the aboues<sup>d</sup> Humphrey Johnson doe apeare at the adjournment of this Court, to be holden att Plimouth the first Tuesday in July next, then & there to prosecut his information, exhibitted vnto Major William Bradford on his maj<sup>ties</sup> behalfe, the 22<sup>d</sup> of December, 1685, against Anthony Colimore & others, a rieote of forceable entry, as by s<sup>d</sup> information may further apeare, if the s<sup>d</sup> Johnson shall prosecut s<sup>d</sup> informatione att s<sup>d</sup> Court to efect, that then, &c.

The Court orders, that this Court be adjourned till the first Tuesday in July next.

[\*49.]

\*Christopher Gifford, of Suckanessett, in y<sup>e</sup> colony of New Plimouth, planter, & Joseph Hull, of s<sup>d</sup> Suckanessett, cooper, or planter, are indicted by y<sup>e</sup> name of Christopher Gifford & Joseph Hull, for their notorious misdimenors & trespass against his ma<sup>ties</sup> authority, laws, & peace, comāded for that y<sup>e</sup> s<sup>d</sup> Christopher Gifford did soñ time about y<sup>e</sup> 8<sup>th</sup> day of December last past, & at other times in s<sup>d</sup> Decem<sup>b</sup>, turbulently & violently, by force & armes, resist the constable of s<sup>d</sup> Suckanessett, in y<sup>e</sup> execution of his office, & then & there, at Suckanessett afores<sup>d</sup>, did wickedly strike Moses Rowly, Juni<sup>r</sup>, being one of y<sup>e</sup> constables aid or assistants in y<sup>e</sup> execution of his office, on y<sup>e</sup> head with a certaine stick or club, thereby fetching blood & shroadly wounding of him in his head, to his great & damage, & y<sup>e</sup> s<sup>d</sup> constable arresting y<sup>e</sup> s<sup>d</sup> Christopher for such his breā of his ma<sup>ties</sup> peace, & contempt of his maiestes authority, y<sup>e</sup> s<sup>d</sup> Christopher carrying himselfe very vnru<sup>l</sup>y, & forceably resisting s<sup>d</sup> constable, & that y<sup>e</sup> s<sup>d</sup> Joseph Hull, him, y<sup>e</sup> s<sup>d</sup> Chris-



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topher Gifford, did maintaine & abett at y<sup>e</sup> s<sup>d</sup> times in Decemb<sup>r</sup> afores<sup>d</sup>, & place of Suckanessett, at or in y<sup>e</sup> house of Jonathan Hatch, Seni<sup>r</sup>, & y<sup>e</sup> s<sup>d</sup> Christopher Gifford & Joseph Hull did conspire together to resist & oppose s<sup>d</sup> constable & his aid in y<sup>e</sup> further execution of his office at same time, & afterwards in s<sup>d</sup> month, for euill intent to dinert justice, did moue & suggest falce pleas, & thereby causing a falce imprisonment or arrest of s<sup>d</sup> constable & his company who aided him in y<sup>e</sup> execution of his office, & performing y<sup>e</sup> duty of his place as afores<sup>d</sup>, to y<sup>e</sup> great discouragement of s<sup>d</sup> constable & his assistants, & other y<sup>e</sup> Kings officers for y<sup>e</sup> future, & y<sup>e</sup> euill example to others, & against y<sup>e</sup> publike good & quiett, & against his ma<sup>ties</sup> lawes & peace comanded.

The jury find the prisoners att the barr, Christopher Gifford & Joseph Hull, guilty according to their indictment.

Christopher Gifford & Joseph Hull, being found guilty of their inditement by y<sup>e</sup> grand jury, they trauered s<sup>d</sup> inditement.

Christopher Gifford & Joseph Hull, indicted for seuerall high misdemeanors, & they haueing trauered there inditement, & haueing ben found guilty vpon tryall, the Court, considering of their offences & high misdemeanors, sentanced s<sup>d</sup> Christopher Gifford seauen pounds fine to y<sup>e</sup> colony, & Joseph Hull to pay fiue pounds fine to y<sup>e</sup> colony, & that they pay charges of prosecution & fees of Court, standing comitted till sentence be performed.

The bill of charges amounting to seuen pound nine shillings six pence, one pound seuen shillings six pence, mony, to be paid by Joseph Hull, & the remainier, being fiue pound twelue shillings six pence, mony, to be paid by Christopher Gifford. This is alowed by the Court.

Attest, NATH<sup>LL</sup> CLARKE, Secretary.

\*This bill of cost is of one pound eight shillings six pence, wherof ten shillings, mony, to be paid by said Joseph Hull on the other side, & the remainier to be paid by s<sup>d</sup> Christopher Gifford in mony, & is alowed by the Court. This is the cheife marshalls bill of cost.

[\*50.]

Attest, NATH<sup>LL</sup> CLARKE, Secretary.

In answer to the petition of Joseph Hull, the Court abate him, the s<sup>d</sup> Hull, forty shillings of his fine.

In answer to Christopher Gifford petition, the Court abate him three pounds of his fine to the country, he paying 20<sup>li</sup> unto Moses Rowley for the wound he gauc him on his head.

The constable of Barnstable his bill of cost alowed by the Court is one pound two shillings & six pence, to be p<sup>d</sup> in silluer mony.

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The town of Litle Compton & villiages adjacent, being ordered by the Generall Court held att Plimouth in Juñ, 1685, to raise the sum of fifteen pounds for the encouragment of the preaching of the gossell, or to be otherwise disposed by the Court, as the law directs, for the good of said places, & wheras William Bradford, Esq<sup>r</sup>, Tresurer, by warrant directed to Litle Compton, ordeřd & required s<sup>d</sup> towne to chuse raters & make rates for the same, together with the country rates, & the inhabitants or town of Litle Compton hath, instead of yeilding obeidience to s<sup>d</sup> warrant & order of Court, refused or neglected to chuse raters, or make rates for s<sup>d</sup> sum of fifteen pounds; & att a town meeting in s<sup>d</sup> Litle Compton, July the 27<sup>th</sup>, 1685, as appears vnder their town clerks hand, they in contempt of the authority of the Generall Court, & authority here established, take vpon them to enforme the Court of Majestrats in October last, that they thinke itt conuenient to delay their duty & take what time they thinke meett to consider thereof, as appears by their saying, they would consider thereof & giue their answer to the next Generall Court; the Court of Asistants in October last sending a warrant to s<sup>d</sup> towne of Litle Compton, requiring them, if they still refused or neglected to raise s<sup>d</sup> sum, that they should by themselues, or agents, apeer att his maj<sup>ties</sup> Court to be held att Plimouth in this p<sup>s</sup>ent March, then & ther to answer for their contempt & neglect, & it apeering by the return of their constable on the warrant that he s<sup>u</sup>mōned euery pson in s<sup>d</sup> town acording to s<sup>d</sup> warrant, & that by the constables return they had chosen agents, & alsoe it apearing vnder the hand of the town clarke, that a vote at a town meeting of them, February, 168<sup>5</sup>, that Dauid Lake & Henry Head were cōsosen agents for the town to apeare at the next Court at Plimouth on their behalfe, which s<sup>d</sup> Head & Lake apered, & p<sup>s</sup>ented a plea or excuse vnder the hand of the town clark, & s<sup>l</sup> agents, p<sup>s</sup>enting exception & refusing to plead, because they were not brought in to answer, neither by p<sup>s</sup>entment nor indictment.

The Court answering them, there had been a due process of law, haueing been sent for by warrant therin signified what they were to answer for, & ha.l been s<sup>u</sup>mōned as the law directs, & haueing giuen them the opertunity of a tryall by their peers if they pleased, & time to consider thereof, they not accept- ing the same, the Court proceeded to consider of the case, & haueing heard their defence, find that the town of Litle Compton, in contempt of his maj<sup>ties</sup> authority, haue neglected their duty, which is agrauated by their answer or return to the Court, wherin they rather complaine then answer, & write rather as eaqualls or neighbours, then as delinqu<sup>ts</sup> or offenders, & lay the town of Litle Compton vnder a fine of twenty pound for s<sup>d</sup> contempt & neglect.

\*The settlement of Rob<sup>t</sup> Parkers estate by the Court ordered to be recorded. 1685-6.

In reference to the settling of the estate of Rob<sup>t</sup> Parker, late of Barnstable, deceased, between Patience, the relict of s<sup>d</sup> Robert, & the children, wherein respect is had partly to the will of the s<sup>d</sup> Rob<sup>t</sup>, though said will was not perfected by him whilst he was in a capacity to make itt, & partly to an agreement made between the s<sup>d</sup> relict & the children which were of age.

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Imprimiss. It is ordered, that Patience, the said relict, (after all just debts are paid out of said estate,) shall haue one third part of all the psonall estate att her own free dispose for euer, & the vse of the house & lands which the s<sup>d</sup> Robert liued on at his decease, together with the vse of about two acres of salt marish att the island, which part of s<sup>d</sup> island, & is bounded at the southeast corner by a redd oake marked, & thence ranged northerly by another redd oake marked, to a stake which stands by a little creeke, and bounded by said creeke, down to the great creeke, & bounded westerly by a ditch, & thence from a stake ranging easterly, by a white oake tree marked, to the s<sup>d</sup> redd oake corner tree, during her naturall life, together with such other part of the psonall estate as the Court shall see cause to order towards her bringing vp the small children.

2<sup>v</sup>. It is agreed & ordered, that Samuell Parker, eldest son of s<sup>d</sup> Rob<sup>t</sup>, shall haue the house & lands belonging to the farme he liueth on, to him, his heires & assignes, for euer, excepting the two acres of salt marish att the island aforementioned, which is to be for the other children, after their mother, the s<sup>d</sup> Patience, decease, & excepting the vse only of three or four acres of marish att Scorton, during the terme of seuen years next after the date hereof, to bee improued by the said relict towards the bringing vp of the small children, & then to reuert to the said Samuell, his heires & assignes, for euer; and the s<sup>d</sup> Samuell Parker is also to pay sixteen pounds in currant pay towards the portions of his sisters, Mary Jenkines & Jane Parker.

3<sup>v</sup>. Itt is agreed & ordered, that John Jenkines, in right of s<sup>d</sup> Mary, his wife, shall haue twelue pounds in currant pay, or tenn pounds in mony, out of s<sup>d</sup> sixteen pounds to be paid by the s<sup>d</sup> Samuell, to make vp what s<sup>d</sup> Jenkines hath allready receued the sum of twenty pounds, which is in full for his & his s<sup>d</sup> wiues part of s<sup>d</sup> estate.

4<sup>v</sup>. It is also ordered & agreed, that Jane, second daughter of s<sup>d</sup> Rob<sup>t</sup>, shall haue twenty pound in currant pay, in full of her part of s<sup>d</sup> estate, sixteen pounds thereof to be paid her out of the s<sup>d</sup> estate by the s<sup>d</sup> Patience, & four pounds, the residue of s<sup>d</sup> twenty, to be paid her brother, the s<sup>d</sup> Samuell, being the remainder of the sixteen pounds aforementioned which he was to pay out of his estate.

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5<sup>y</sup>. Ordered & agreed, that the remainder of the s<sup>d</sup> estate, both reall & psonall, shall bee deuided as the Court shall order, between the eight children which the s<sup>d</sup> Rob<sup>t</sup> had by the s<sup>d</sup> Patience, viz<sup>d</sup>, the five sons, Thomas, Daniell, Joseph, Benjamine, & Elisha, & the three daughters, Hannah, Sarah, & Alice.

Att a Court of Assistants held the 2<sup>d</sup> of March, 168<sup>5</sup>/<sub>6</sub>, the Court confirmed the foresaid agreement of the parties, adust, concerned therin, & the order of the Gouvernor & M<sup>r</sup> Lothrop, impowered by the Court therevnto, & the Court doth now further order, that the five sons the s<sup>d</sup> Rob<sup>t</sup> had by the s<sup>d</sup> Patience shall haue each of them thirty pounds a peice, in the lands & other estate, wherein the lands come shorte, & the three daughters twenty pounds a peice out of the moueables, & the residue to the widdow for bringing vp the same small children.

Plimouth, May 10<sup>th</sup>, 1686. Whereas M<sup>r</sup> John Bourn, late of Marshfeild, deceased, left the greatest part of his goods & chattells in the possession of Allice, his wife, without any other disposure thereof by his last will & testament, making her sole executrix of his s<sup>d</sup> last will, who is since also deceased, intestate, without any disposure of said estate, & necessitie requireing p<sup>s</sup>ent administration thereon.

Power of administration is therefore hereby granted vnto Thomas Bourn, only son of the said John & Allice, his wife, to administer on the s<sup>d</sup> estate protempore.

WILLIAM BRADFORD, Dep<sup>ty</sup> Gouver<sup>r</sup>.

JOHN ALDEN, Asistant.

Attest, NATH<sup>LL</sup> CLARKE, Secretary.

[\*53]

*\*Att the Generall Court att Plimouth, June, 1686.*

**P**<sup>R</sup>SENTED for freemen.

Tanton, . . . . .	{ Robert Crossman, Samuell Hall, Samuell Phillips, }	sworn.
Swanzy, . . . . .	{ Hezekiah Luther,	} sworn.
Plimouth, . . . . .	{ Josiah Morton, Isaac Lobden,	
Duxbury, . . . . .	{ Josiah Wormcall,	

Thomas Hinckley, Esquire, was chosen Gouverneur, & William Bradford, Esquire, Deputy Gouverneur, & sworne. 1686.

M<sup>r</sup> John Alden,  
 John Freeman,  
 Daniell Smith,  
 Barnabas Lothrop,  
 John Thatcher,  
 John Walley,

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} chosen Asistants, & sworne.

Chosen William Bradford, Esq<sup>r</sup>, Treasurer, & sworne.

The Comissioners are the Gouverneur, & y<sup>e</sup> Deputy Gouverneur; & the next in nomination was Major Walley.

[In the handwriting of Mr. Samuel Sprague.]

Sam<sup>l</sup> Sprague, chosen Secretary to the Generall Court, . . . . . } & sworne,  
 and Record<sup>r</sup> of y<sup>e</sup> Court of Assistants.

[In the handwriting of Secretary Clarke.]

\*The Names of the Town-Officers.

[\*54.]

Deputies.	Celect Men.	Constables.
Plimouth, { Leitt Morton, { Joseph Waren.	{ Leiu <sup>tt</sup> Morton, { Serj <sup>tt</sup> Harlow, { Joseph Warren, Sen <sup>r</sup> .	{ Jo <sup>n</sup> Churchell.
Duxbury, { Ensign Jn <sup>o</sup> Tracy, { Francis Barker.	{ Benj <sup>a</sup> Bartlett, { Insig <sup>n</sup> Jn <sup>o</sup> Tracy, { & Frâcis Barker.	
Scittuate, { M <sup>r</sup> Jn <sup>o</sup> Cushen, { Sm <sup>ll</sup> Clapp.	{ M <sup>r</sup> Jn <sup>o</sup> Cushen, { Sam <sup>ll</sup> Clapp, { Jerimiah Hatch.	{ M <sup>r</sup> John Allen, { William Berstow.
Sandwich, { Thō Tupper, { Stephen Skiffe.	{ W <sup>m</sup> Swift, Sen <sup>r</sup> , { Thō Tu <sup>p</sup> er, { & Stephen Skiff.	
Tanton, { Le <sup>tt</sup> Gor <sup>g</sup> Mascee, { Insign Thō Lenord.	{ Le <sup>tt</sup> Geor <sup>g</sup> Mace, { Iñ Thō Lenord, { Walter Dean, { W <sup>m</sup> Haruey, { Jn <sup>o</sup> Hall.	{ James Lenord, { Joseph Tillden.

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Yarmouth,	{ Leiu <sup>tt</sup> Seeres, Jerimiah House.	{ Edmond Hawes, Jo <sup>o</sup> House, Jo <sup>o</sup> Miller, Jerimiah House, Silase Seeres.	
Barnstable,	{ Cap <sup>t</sup> Lathropp, In <sup>s</sup> Shuball Dimack.	{ Cap <sup>t</sup> Lothrop, Le <sup>tt</sup> Jn <sup>o</sup> Howland, In <sup>s</sup> Shuball Dimack.	
Rehoboth,	{ Lei <sup>tt</sup> Peck, Gillbert Brookes.	{ Cap <sup>t</sup> Hunt, Lei <sup>tt</sup> Peck, Gilbert Brookes, Jn <sup>o</sup> Peck, & William Sabine.	
Eastham,	{ Cap <sup>t</sup> Jon <sup>s</sup> Sparrow, Marke Snow.	{ Cap <sup>t</sup> Sparrow, Marke Snow, John Doan. }	Celectmen.
Bridgwater,	Lei <sup>tt</sup> Tho <sup>s</sup> Howard.	{ Decon Jn <sup>o</sup> Willis, Sam <sup>l</sup> Edson, Sen <sup>r</sup> , Le <sup>tt</sup> Tho <sup>s</sup> Howard.	
Marshfeild,	{ Lei <sup>tt</sup> Isaac Litle, Serj: Sam <sup>l</sup> Sprague.	{ Cap <sup>t</sup> Nath <sup>l</sup> Thomas, Serj Nath <sup>l</sup> Winslow, Serj Sam <sup>l</sup> Sprague.	
Midlebury,	M <sup>r</sup> Jn <sup>o</sup> Tompson.	{ Jn <sup>o</sup> Tompson, Jn <sup>o</sup> Nelson, Isaacke Howland.	{ John Miller.
Swanzey,	Serg <sup>tt</sup> Hugh Cole	{ Jn <sup>o</sup> Allen, Jn <sup>o</sup> Brown, Hugh Cole, Nickcolas Tanner, & Obadiah Bowen.	
Bristol,	{ M <sup>r</sup> Burton, M <sup>r</sup> Jn <sup>o</sup> Rogers.	{ Cap <sup>t</sup> Ben: Church, Jn <sup>o</sup> Rogers, Tho <sup>s</sup> Waker.	
Litle Comp <sup>t</sup> ,	Edward Richmond.	{ Edw <sup>d</sup> Richmond, M <sup>r</sup> W <sup>m</sup> Peabody, M <sup>r</sup> Joseph Church.	
Dartmouth,	Jn <sup>o</sup> Cooke.	{ Jon <sup>s</sup> Delano, Seth Pope, Josep <sup>t</sup> Tripp.	{ James Sisson.

Free Town,	Jobe Winslow.	{	Thō Terry,
			Thō King,
			Jobe Winslow.
Estham,	{		Cap <sup>t</sup> Sparrow,
			Marke Snow,
			& Jn <sup>o</sup> Doane.

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[In the handwriting of Secretary Sprague.]

June, 1686. Samuel Dunham tooke oath in Court to serve in the office of under marshall & goal keeper for Plimouth colony.

\*The Court hath granted liberty to Margarett Muffee, of Scituate, to retaille strong liquores in the town of Scituate, afores<sup>d</sup>, to such as buy itt & carry itt out of door, or from her house, & nott drinke itt there, & likewise that she shall nott sell such liquores by less quantities then one gallond, & be carefull whome shee sells itt too.

[\*56.]

Select Men sworn.

Plimouth, . . . . .	{	L <sup>t</sup> Morton,
		Mr Joseph Warren,
		Serj <sup>t</sup> W <sup>m</sup> Harlow.
Dartmouth, . . . . .	{	Joseph Trip,
		Seth Pope.
Scituate, . . . . .	{	John Cushion,
		Sa <sup>m</sup> Clap.
Duxsbury, . . . . .	{	En <sup>s</sup> John Tracy,
		Francis Barker.
Sandwich, . . . . .		Thomas Tupper.
Marshfeild, . . . . .	{	Serj <sup>t</sup> Sam <sup>l</sup> Sprague,
		Mr Nath Winslow.
Rehoboth, . . . . .	{	L <sup>t</sup> Pecke,
		Gilbert Brooks.

Constables sworn.

Dartmouth, . . . . .	James Sisson.
Bridgewater, . . . . .	Thomas Washbourn.
Freetown, . . . . .	Ben: Chase.
Scituate, . . . . .	{
	John Allen,
	W <sup>m</sup> Berstow.
Rehoboth, . . . . .	John Ormsby.
Marshfeild, . . . . .	Sa <sup>m</sup> Little.
Middleborough, . . . . .	John Miller.

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These next written, of Scippican, were propound<sup>d</sup> at June Court, 1686, to take up their freedom, viz<sup>t</sup> : —

Aaron Barlow,

Samuel Hammond,

Joseph Dotey,

Jacob Bumpus,

John Wing,

Samuel White.

Voted.

It is agreed upon that the rates that are to be made for raising of money for to defray the charges arising in the colony for this present year, shall be made by or according to the rules set downe in our old law in the printed booke.

4 June.

New Plimouth, June y<sup>e</sup> 4th, 1686. Att the Court of Assistants, Sam<sup>l</sup> Luther, of Swansey, appearing in and proffering to prosecute Henry Neal, according as s<sup>d</sup> Luther was bound to doe at July Court next, but s<sup>d</sup> Neal haveing made his escape, the × order, that y<sup>e</sup> said Luther, upon warn- ing given him by a magistrate, appear at next July Court to prosecute as afores<sup>d</sup>, if s<sup>d</sup> Neal can be taken and then brought to a tryall; but if otherwise, then s<sup>d</sup> Luther is at s<sup>d</sup> Court to have his bond delivered up to him.

1 June.

[\*57.]

\*June 1<sup>st</sup>, 1686. At the Generall Court Cap<sup>t</sup> John Jacob appeared in Court in behalfe of himselfe & y<sup>e</sup> owners of three quarters of y<sup>e</sup> land at Accord Pond; & demanded something due from y<sup>e</sup> colony as there division of money rec<sup>d</sup> for conquered lands, & allsoe owned that there was about forty five shillings or more due from them to y<sup>e</sup> colony for rates, & offered to accept of y<sup>e</sup> s<sup>d</sup> rate as full satisfaction of there demand of y<sup>e</sup> colony on y<sup>e</sup> account afores<sup>d</sup>, & y<sup>t</sup> all accounts should be & accounted ballanced to this day. And y<sup>e</sup> Court agreed to or accepted y<sup>e</sup> same.

W<sup>m</sup> Perry being ingaged to y<sup>e</sup> tresu<sup>r</sup> y<sup>e</sup> sum of five pounds that was dew for a fine from Henry Perry, y<sup>e</sup> Court, in consideration of y<sup>e</sup> breaking out of y<sup>e</sup> wounds of said W<sup>m</sup> Perry some time since, & paine he hath endured, see cause to remitt y<sup>e</sup> said five pounds in being by him accepted for full satisfac- tion to this time, & he likewise promises not to demand any thing more of y<sup>e</sup> colony vnlesse his wounds break out againe, & y<sup>t</sup> he will not expect any thing for any small breaking out or farther paine he may sustaine.

Ordered, that Barnabas Lothrop, Esq<sup>r</sup>, Cap<sup>t</sup> Joseph Lothrop, Cap<sup>t</sup> Spar- row, & L<sup>t</sup> Isaac Little be a co<sup>m</sup>itte to take y<sup>e</sup> treasu<sup>r</sup> accounts.

Agreed, that Theophilus Witherly have five pounds paid him out of y<sup>e</sup> rates this year, which y<sup>e</sup> Court give him, notwithstanding he had discharged y<sup>e</sup> Court, they considering his necessity.



Agreed, that John Pugsly have fourty shillings paid him out of y<sup>e</sup> rates this year.

1686.

Wheras the y<sup>e</sup> Court, in June, 1685, granted to W<sup>m</sup> Witherly ten pounds, to be p<sup>d</sup> five pounds this year & five next, in case a discharg<sup>e</sup> could not be found, it is now agreed, that he should be paid seven pounds ten shillings, mony, this year, in case he give y<sup>e</sup> country a full discharge, & L<sup>t</sup> Macey, whom he had ordered to appeare & act for him, att<sup>ey</sup> for y<sup>e</sup> same in his behalfe, & in x x x x x

4 June.  
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The original is  
worn out.

\*June 4<sup>th</sup>, 1686. In reference to a petition presented to the Generall Court by M<sup>r</sup> John Saffin, of Boston, concerning some lands said to be purchased by Cap<sup>t</sup> Willett near Titticut, so called, the Court order, that the records of the Court shall be carefully serched for the finding the deed relating to s<sup>d</sup> purchase.

[\*58.]

In answer to a petition presented to the Court of Assistants by y<sup>e</sup> agents of the propriators of the lands called the Majors Purchase, —

Ordered by the Court of Assistants, that M<sup>r</sup> Thomas Palmer, of Scituate, Ensigne Thomas Leonard, of Taunton, and Stephen Skeff, of Sandwich, shall, as a com<sup>ity</sup>, by appointment of this Court, haue power to run a line and set bounds, and act and doe according as the law directes in such case between the lands of the town of Plimouth and lands called the Majors Purchase, and to be done by s<sup>d</sup> com<sup>ity</sup> at any such time as they shall appoint betwixt this day and the first day of September next, and to make return of their acting to the Court of Assistants in October next.

Upon the request of the inhabitants of Scippican, alias Rochester, to become a township, and have the previdedges of a town, the Court granted there desires in y<sup>t</sup> respect, & the like granted to Suckanesset inhabitants.

M<sup>r</sup> John Brown approved as cap<sup>t</sup> of the Town of Swansey, Timothy Brooks leiv<sup>t</sup>, James Cole ensigne.

Of Little Compton. M<sup>r</sup> Edward Richmond approved for leiu<sup>t</sup>, and M<sup>r</sup> Joseph Church ensigne.

Seth Pope is appointed by the Court to be leiv<sup>tt</sup> of Dartmouth.

And M<sup>r</sup> Thomas Terrey approved leiu<sup>t</sup> of Freetown.

Cap<sup>t</sup> Thomas, M<sup>r</sup> Cushing, & Leiu<sup>t</sup> Morton chosen associates for Plimouth county for the following year.

& M<sup>r</sup> Byfield, M<sup>r</sup> Pabody, & Ensigne Leonard for the county of Bristol.

1686. *New Plimouth. At a Court of Assistants held for our Sovereigne  
Lord the King y<sup>e</sup> 4<sup>th</sup> of June, 1686.*

4 June.

[HINCKLEY,  
GOVERNOR.]

PART II.

**W**HEREAS John Glover, of Barnstable, in this colony of New Pl<sup>x</sup>, cooper, did petition his majesties Court of Assistants, held at Plimouth, the sea x day of March last past, that he might have a divorce from Mary Glo x, his wife, by reason of her false and treacherous dealing in her violating the marriage covenant by entertaining some other man or men into bed fellowship x her, and did by her filthines and basenes infect him, her said husband, with that filthy & noysome disease called the pox, to his great sorrow and paine, ruine of his estate, and hazard of his life. The said Mary, his wife, having had x alsoe of his intention to sue out a bill of divorce from her for s<sup>d</sup> cause, and x the Court then hearing the pleas and examining the testimonies, & x sent in by each of them to s<sup>d</sup> Court. But the Court, not being fully advised x time, left it to farther consideration till this next Court, & accordingly x Glover in his own person appeared and prayed the Court to do x x x. The Court therefore, on their farther & due consideration x x and x x x declares a separation & divorce of y<sup>e</sup> s<sup>d</sup> John x x x his x x x John Glover hath herewith a totall freedom x x x x.

[\*60.]

\*At the Court of Assistants, June 4<sup>th</sup>, 1686, James, an Indian of Naussett, being convicted before the Court for stealing a hogg from Jacob Cooke, (by Indian his own confession,) is sentenced to pay to Jacob Cooke 20<sup>s</sup> money, or twenty four days worke, and to pay ten shillings to Mark, an Indian, haveing been prosecuted and put to charges concerning it, and s<sup>d</sup> James to be publicly whipt.

And Lusty Tom, an Indian, is sentenced to pay & suffer the like, if upon tryall before M<sup>r</sup> John Freeman, he shall be adjudged guilty of the s<sup>d</sup> fact with s<sup>d</sup> James.

June 4th. In reference to a controvercy between M<sup>r</sup> Nathaniel Clarke, and Dorathy, his wife, the Court order that s<sup>d</sup> Dorathy deliver vp to the dispose of the Court all the money, rings, & treasure that she hath now acknowledged she hath taken without the leave of s<sup>d</sup> Clarke, her husband, and to be performed by her some time betwixt this time and to morrow, eight of the clock in the morning.

Postscript, Ju-  
ly 9th, 1686.

Postscript. Which was in part performed, viz<sup>t</sup>, the money brought in at s<sup>d</sup> time, & orde<sup>rd</sup> p<sup>r</sup> y<sup>e</sup> Court to be disposed, viz<sup>t</sup>, 150 pounds to Cap<sup>t</sup> Nath<sup>l</sup> Thomas, due to him vpon bond, and the residue to Leiu<sup>t</sup> Ephraim Morton, till farther order; but y<sup>e</sup> s<sup>d</sup> rings & treasure was brought into Court p<sup>r</sup> her y<sup>e</sup> 9<sup>th</sup> of July, 1686.

To the Honoured Govern<sup>t</sup> and Magistrates assembled in Court, June 2, 1686.

1686.

The Humble Petition of Dorathy Clarke.

I am sorely afflicted that I have this sad occasion to petition to God & you, for in that M<sup>r</sup> Nathaniel Clarke hath not performed the duty of a husband to me, for he is misformed, and is always unable to perform the act of generation. And therefore your petitioner humbly prayeth that I may be divorced from him, for our lives are very uncomfortable in the sight of God.

Soe I rest your humble petitioner,

DORATHY CLARKE.

4 June.

[HINCKLEY,  
GOVERNOR.]

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Exhibited in  
Court June y<sup>e</sup>  
4th, 1686.New Plimouth,  
June y<sup>e</sup> 4<sup>th</sup>,  
1686.

Att his majesties Court of Assistants, M<sup>rs</sup> Dorathy Clarke complaining to the Court that M<sup>r</sup> Nathaniel Clarke, her husband, (by reason of some deformity or infirmity of body, as she saith,) is incapable to performe the conjugall duty of an husband towards her, and petitioned to be divorced from him; but the said Nathanael affirming the contrary, the Court haue ordered, that his body be viewed by some persons skilfull and judicious, and therefore doe request M<sup>r</sup> John Cutler, M<sup>r</sup> Thomas Oakes, and M<sup>r</sup> William Avery, phisicians, or any two of them, at the request and charges of the s<sup>d</sup> Nathanael, shewing himself vnto them, that they would give their judgment of him concerning that particular in writing, under their hands to be produced at the next Court.

p<sup>r</sup> order of Court.

June 4<sup>th</sup>, 1686. M<sup>r</sup> Edward Richmond, convict before the Court for furnishing an Indian with some rum or strong liquors, was sentanced to pay five pounds fine to the colony.

*\*Att the Court of Assistants held at Plimouth, July y<sup>e</sup> 6<sup>th</sup>, 1686.*

[\*61.]

M<sup>RIS</sup> DORATHY CLARKE, appeared in Court & prosecuted her petition & complaint on the other side mentioned, and the Court did not see cause to graunt a divorce as she desired.

The following writing was recorded p<sup>r</sup> order of Court.

July y<sup>e</sup> 10<sup>th</sup>, 1686. Whereas M<sup>rs</sup> Dorathy Clarke hath exhibited a complaint unto the Court against her husband, Nathanael Clarke, in order to a

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6 July.  
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divorce, and prosecuted the same att his maties Courts held at Plimouth in June & July, 1686, and she not having made out her charge, as may appear by Court records, that soe they still remaine husband and wife. There being such an uncomfortable difference between the said Clarke and his wife, and fearing least they should ruine each other in their estates, have mutually agreed to a settlement in that respect untill the law otherways determine or they agree themselves. The conditions of the agreement betweene themselves are these following, viz<sup>t</sup>: That the new house is in the s<sup>d</sup> Nath Clarkes possession as his and his wives estate, she having liberty to live in part of the s<sup>d</sup> house to the quantity of half if she please, and he, the s<sup>d</sup> Clarke, to have all the estate that he brought with him to be dd up to him, s<sup>d</sup> Clarke, excepting what he hath disposed to any other person besides his s<sup>d</sup> wife, or layd out in cloathing for himself. And she, the s<sup>d</sup> Dorathy Clarke, to have all the estate that she brought with her, excepting what hath been spent and disposed of by her or said Clarke, & one hhd of rum in Clarkes hands for the finishing of the new house, and three barrells of cyder for his own drinking, or at his dispose. The s<sup>d</sup> Nath<sup>l</sup> Clarke is not to be charged with any obligation, bond, or debt, &c, that she, the s<sup>d</sup> Dorathy, hath already or shall make x contract, and to save harmles the s<sup>d</sup> Clarke from the matters of administration of the estate of her late husband, Edw̄ Gray, and that she deliver vp to the s<sup>d</sup> Clarke his bond given to her before marriage. And the s<sup>d</sup> Dorathy is not to be charged with any obligation, bond, or debt, that he, the s<sup>d</sup> Clarke, hath already, or shall make, or contract. To the true performance of the conditions abovementioned, Leutenant Ephraim Morton, of Plimouth, appeared before the Court, and ingaged for himself, his heirs, & executors, in the peanall sum of five hundred pounds currant money of New England, that the said Dorathy shall performe on her part in all respects the conditions herein expressed. And to the performance of the conditions above mentioned, Mr Barnabas Lothrop, Sen<sup>r</sup>, of Barnstable, appeared before the Court and ingaged for himself, his heires, & executors, in the peanall sum of five hundred pounds currant money of New England, that the s<sup>d</sup> Nath Clarke shall performe on his part, in all respects, the conditions above mentioned, and the s<sup>d</sup> Clarke is to deliver vp the book of accounts, & the deed of lands that did belong to said Dorathy, his wife.

The persons above named, herein concerned, owned this above written to be their act and deed before the Court, July the 10<sup>th</sup>, 1686.

As attests

SAMUEL SPRAGUE.

— M<sup>rs</sup> Clarke engaged to Leiuř Morton, within named, to give him a counter bond sufficient to save him harmless concerning y<sup>e</sup> premises. Before y<sup>e</sup> Court.

Attest. SAM<sup>l</sup> SPRAGUE.

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\*New Plimouth, Acts and Orders made at the Generall Court in June, 1686.

[\*62.]

1. Ordered by this Court and the authority thereof, that at the end of this sessions of the Generall Court, the laws that have been lately printed, and having been ordered sometime since to be published in the severall towns, shall be of force and put in execution, having respect to such additions and alterations as shall be made by this Court.

2. Ordered, that the magistrates and associates that are to keepe Court in the severall countyes meet, in their severall county towns, upon the third Tuesday in this instant June, and that the magistrates then present give the oath to the severall associates. Three or more appearing, having taken their oaths, shall be a Court, and shall then chuse their officers, and settle such matters as are necessary in their severall Courts, and act and doe in all matters as may come before them that lyes in the power of a County Court, trying of actions at these next Courts onely excepted, who shall, togeather with the deputies of the severall towns of the county, or the major part of them, agree and conclude about a prison, where there is any to be built, and determine the charge & agree about the proportions the severall towns shall pay towards it.

3. Ordered, that the grand jury men who are chosen for this next year appear at their severall county towns upon the third Tuesday of this instant, to take their oaths and receive their charge, and that the severall towns shall make up what is wanting, and send according to this following order : —

Plimouth, three ; Duxborough, two ; Scituate, four ; Marshfield, three ; Bridgwater, two ; Middleborough, one.

Barnstable, three ; Yarmouth, three ; Sandwich, three ; Eastham, three ; Moñamoyet, one ; Succonesset, one ; Sippecan, one.

Bristol, three ; Taunton, three ; Rehoboth, three ; Dartmouth, two ; Swansea, two ; Little Compton, one ; Freetowne, one.

4. Ordered, &c, that the first Tuesday in July next be a Court of Assistants or tryalls ; and actions may therein be tryed, and all cases depending issued, and all such causes or actions that have been heard or tryed at any Court of Assistants or magistrates formerly, and the persons concerned see cause to review their actions shall doe the same at a Court of Assistants ; any thing in any law to the contrary notwithstanding.

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5. Ordered, that at such time as the major part of the freemen of Plimouth county shall desire it, the County Court for Plimouth shall be kept at such place in the county as the said freemen shall agree on.

6. Ordered, that in civill actions no one magistrate shall have power to try the case out of such town where the plaintiff and defendant both liveth, any thing in any law to the contrary notwithstanding.

[\*63.]

\*Ordered, that in such countys as there is not a sufficient number of magistrates there shall be annually chosen by the Generall Court so many associates as they shall see need of, who shall sit in and act in the County Courts as the magistrates may, and have the power of magistrates in their respective countys : it is ordered, that such associates soe chosen shall take the same oath the magistrates doe, having respect to the difference of their place and power.

Whereas there are sundry tracts of lands held by divers persons in comon as the proprietors thereof, and there may be occasions for a meeting of the severall proprietors for to divide lands or make orders among themselves that may be for their good, —

It is therefore ordered, that when such purchasers, or a considerable part of such purchasers, shall desire the same of any magistrate, they making appear some considerable occasion for such a meeting, s<sup>d</sup> magistrate shall give order to warn a purchasers meeting, and appoint the time and place. And what orders shall be leagally made among themselves, or by the major part of them, shall be valid and binding. And such a meeting shall be accounted lawfully warned, if the said order procured for that end be sett up publickly, and endeavoured to be kept up publickly at the house where such meeting is to be, twenty days before the time of such meeting ; and if any of the particulars, or sundry of them, have any just cause of complaint or suit against the rest, it shall be sufficient in law to bring their complaint to a hearing, or suit, or action, to a tryal, to attach any of the undivided lands of such purchasers, and the constable to sumons some of the purchasers, for themselves and in behalf of the rest, to answer the same ; and alsoe the complainers to post up such sumons twenty days before the time of hearing such complaint or tryall, at such place where there last purchasers meeting was held.

Agreed on by the General Court, that there be no general training or regimentall muster in this year, 1686.

Ordered, &c, that in each military company a comittee be chosen by the company, consisting of so many men as added to the commission officers of such company will make the number five, who shall have power with the comission officers to judge delinqueints, determine & dispose of fines for the good of the company, and to inflict millitary punishment vpon offenders according to law, as occasion may require.

1686.

9 July.

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[\*64.]

\*John Barlow acknowledgeth to owe to our souereign lord th King the sum of 10 pound sterling.

July 9<sup>th</sup>, 1686. The condition, &c, that whereas the above bounden John Barlow, haueing been convict in Court for lascivious cariages towards Mary, the wife of Nehemiah Bessey : now, if the s<sup>d</sup> John Barlow shall be of good behaviour to his said majesty and all his leige people, and espepecially towards the s<sup>d</sup> Mary, and not frequent her company, vntill the next Court of Assistants to be holden at New Plimouth on the first Tuesday in October next, & personally appear at s<sup>d</sup> Court to answer such matters & things as may then be objected against him ; that then, &c.

This recognizans taken in Court.

As attests

SAM<sup>L</sup> SPRAGUE, Secretary.

S<sup>d</sup> John Barlow, convict for lascivious cariages towards & with Mary, y<sup>e</sup> wife of Nehemiah Bessey, fined 40 shillings & fees of Court, and bound to his good behaviour.

& Mary Bessey fined 20 shillings & fees of Court.

To y<sup>e</sup> Constable of Scippican, alias Rochester, greef.

Whereas Aaron Barlow hath entertained one Daniel Smith, forreigner, in his nesesity, this Court orders, that the s<sup>d</sup> Smith do pay y<sup>e</sup> s<sup>d</sup> Aaron Barlow his reasonable charges therein, & so soone as said Barlow is satisfied as aforesaid, that then you warne y<sup>e</sup> s<sup>d</sup> Dan<sup>l</sup> Smith forthwith to depart your town & this goverment, as he will answer the contrary for his contempt. Fail not, as, &c.

p<sup>r</sup> order of Court,

Attest,

SAM<sup>L</sup> SPRAGUE, Recorder.

The Court ordered the constable of Eastham, by warrant sent to him, to attach Jacobus Loper, and cary him before a magistrate to find sureties for his good behaviour & appearance at y<sup>e</sup> next Court.

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\*.At the Court of Assistants held for his Maj<sup>ty</sup> at New Plimouth, [ \*65.]  
the 6<sup>th</sup> Day of July, 1686.

**W**ERE sumoned to serve on a jury.

These sumoned to serve on y<sup>e</sup> jury, viz<sup>t</sup>:

Leiu<sup>t</sup> Joseph Howland,

Thomas Cushman,

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John Bradford,  
 John Bryant, Jun<sup>r</sup>,  
 Caleb Cooke,  
 Samuel Lucas,  
 Edward Dotey, Sen<sup>r</sup>,  
 Edward Southworth, find 10<sup>s</sup>.  
 William Brewster,  
 John Sprague,  
 Samuel Hunt,  
 Edward Fobes,  
 Joseph Hayward, Sen<sup>r</sup>.  
 John Jones, Sen<sup>r</sup>,  
 Hopestill Besbey,  
 Jonathan Eames, find 10<sup>s</sup>.  
 James Hamlen,  
 Shearjashub Bourn, find 10<sup>s</sup>.  
 John Gibs, find 10<sup>s</sup>.

And these underwritten served.

- |  |               |
|--|---------------|
| 1. Leui <sup>t</sup> Joseph Howland,   | } all sworne. |
| 2. †Thomas Cushman, †                  |               |
| 3. John Bradford,                      |               |
| 4. John Bryant, Jun <sup>r</sup> ,     |               |
| 5. Caleb Cooke,                        |               |
| 6. Samuel Lucas,                       |               |
| 7. Edward Dotey, Sen <sup>r</sup> ,    |               |
| 8. William Brewster,                   |               |
| 9. John Sprague,                       |               |
| 10. Edward Fobes,                      |               |
| 11. Joseph Hayward,                    |               |
| 12. Hopestill Besbey,<br>James Hamlen, |               |

The names of y<sup>e</sup> jury who served at y<sup>e</sup> aboves<sup>d</sup> Court in all y<sup>e</sup> actions.

Leui<sup>t</sup> Joseph Howland, foreman.  
 John Bradford,  
 John Bryant, Jun<sup>r</sup>,  
 Caleb Cooke,  
 Samuel Lucas,



Edward Dotey,  
 William Brewster,  
 John Sprague,  
 Edward Fobes,  
 Joseph Hayward,  
 Hopestill Besbey,  
 James Hamlen.

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*\*At his Majesties Court of Assistants held at Plymouth, July y<sup>e</sup> 6<sup>th</sup>, [66.]*  
 1686.

**S**AMUEL HALL, of Yarmouth, complaineth against William Nickarson, Nonsuited.  
 of Yarmouth, afores<sup>d</sup>, in an action of debt, to the damage of twelve pounds, silver money, for y<sup>t</sup> he, the s<sup>d</sup> Nickarson, doth neglect or refuse to pay unto y<sup>e</sup> s<sup>d</sup> Samuel Hall, or his order, the just sum<sup>m</sup> of six pounds in current silver money of New England, due unto him, the s<sup>d</sup> Hall, from s<sup>d</sup> Nickarson, as may more fully appear by one instrument given under the hand and seal of s<sup>d</sup> Nickarson, bearing date the 25<sup>th</sup> day of October, 1685.

2. Thomas Fallen, Jun<sup>r</sup>, of Yarmouth, complaineth against William Nonsuited.  
 Nickerson, late of Yarmouth, in an action of debt to the damage of eight pounds, for y<sup>e</sup> non-payment of four pounds twelve shillings and six pence, as will more at large appear due to the said Follen, from the s<sup>d</sup> Nickerson, by specialities under the s<sup>d</sup> Nickerson his hand, bearing date first of December, 1684.

3. Ebenezer Ford, residing at a place called Foords Farm, within the Nonsuited.  
 colony of New Plymouth, complaineth against James Foord, now or late of the same place, in an action of debt to the damage of twenty eight pounds in money, for his nonpayment of a debt of fourteene pounds four shillings and seven pence, due from the said James Foord, to the said Ebenezer, for money, worke, and sundry goods, which y<sup>e</sup> s<sup>d</sup> James hath received of the said Ebenezer, at severall times since the begining of October, which was in the year 1681, as by the said Ebenezer his booke he saith he will make appear. [\*67.]

4. Thomas Joslen, resident near Namecot, plaintiff, against Jonathan Y<sup>e</sup> jury find for  
y<sup>e</sup> plaintiff 40<sup>sh</sup>  
silver mony,  
debt, 6<sup>sh</sup> dam-  
age, & y<sup>e</sup> cost  
of y<sup>t</sup> suit.  
 Blackman, of Little Compton, defendant. In an action of the case for debt & damage, five pounds sterling money of New England, for denying & refusing to pay y<sup>e</sup> s<sup>d</sup> Joslen the sum<sup>m</sup> of fifty shillings, due for a horse y<sup>t</sup> the said

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Blackman bought & received of the s<sup>d</sup> Joslen some time in December, in the year 1685, which forceth s<sup>d</sup> Joslen to bring this his action, &c. The cost allowed by y<sup>e</sup> Court is one pound ten shillings.

5. Thomas Waid & Timothy White, both of Scituate, plaintiffs, against Cap<sup>t</sup> John Williams, of Scituate, afores<sup>d</sup>, defendant, in an action of review, &c.

Y<sup>e</sup> jury find for the plaintiff, if the act of y<sup>e</sup> com<sup>it</sup>tee stands good in law, 18<sup>l</sup> 3<sup>s</sup> 6<sup>d</sup>, silver money, damage, & y<sup>e</sup> cost of the suit.

If not, we find for y<sup>e</sup> defendant the cost of y<sup>e</sup> suit. The Court, not being yet advised, have demurred on this case till y<sup>e</sup> next Court of Assistants.

At which Court the question was resolved in the negative, October, 1685, & forty four shillings cost allowed to y<sup>e</sup> defendant.

Cap<sup>t</sup> Thomas owned in Court, in y<sup>e</sup> plea, y<sup>t</sup> the com<sup>it</sup>tee run the line of M<sup>r</sup> Hatherlys 400 acres, about 4 degrees within square.

The money deposited is 7<sup>l</sup> 17<sup>s</sup> 3<sup>d</sup>.  
July y<sup>e</sup> 6<sup>th</sup>, 1686. Josiah Morton, called Master Bayliff, by vertue of a warrant com<sup>it</sup>ted to him from a magistrate, having seized divers barrels of mackrill on Cape Cod shoar, as forfeited p<sup>r</sup> law to this colony, in order to a tryall at this Court, and the case being brought before y<sup>e</sup> Court, the s<sup>d</sup> Court have seen reason to demurr on that matter till they are farther advised about it, with intent to issue the same at y<sup>e</sup> next Court of Assistants, and therefore have ordered the produce of s<sup>d</sup> mackrill to be secured in the hands of M<sup>r</sup> William Clarke, to whome it is com<sup>it</sup>ted till the case be decided, or farther order taken concerning it.

July 6<sup>th</sup>, 1686. The Court have deputed, impow<sup>er</sup>d, and requested, & hereby doe request & impow<sup>er</sup> M<sup>r</sup> Ichabod Wiswall, Leiu<sup>t</sup> Isaac Little, and Anthony Eames, as a com<sup>it</sup>tee, according to the best light they can receive from records or testimony, to reng, measure, plat, & bound a tract of land in Scituate, called M<sup>r</sup> Hatherlys 400 acres, & to make report to y<sup>e</sup> next Court of Assistants of their actings in the primises, & Cap<sup>t</sup>aine John Williams to defray the charge thereof.

[\*68.] \*6. Isaac Howland, of Middleborough, plaintiff, against Thomas Joslen, within the constablerick of Little Compton, defendant. In an action of debt to the damage of fourteen pounds, currant money of New England, for the non payment of seven pounds, in money, due to the s<sup>d</sup> Isaac Howland, by covenant or contract, sometime in February last, for a yoak of oxen, then sold & delivered, which money y<sup>e</sup> said Joslen unjustly detaineth. Thomas Joslin, afores<sup>d</sup>, appeared in Court & acknowledged a judgment against himself, viz<sup>d</sup>, his person & estate of seven pounds, money, & such cost as the Court shall allow in s<sup>d</sup> action. July 6<sup>th</sup>, 1686. 1 : 4 : 9 allowed p<sup>r</sup> y<sup>e</sup> Court in cost.

1686.

7. Cap<sup>t</sup> John Williams, of Scituate, plaintiff, against Cap<sup>t</sup> John Brigs, Nathanaell Tilden, & others, claimers & pretended proprietors with the plaintiff of Conihasset undevided lands. Nonsuited, and forty two shillings allowed in cost to the defendants.

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8. Cap<sup>t</sup> John Williams, of Scituate, plaintiff, against Sam<sup>l</sup> Holbrooke, of Scituate, defendant. Y<sup>e</sup> jury find for y<sup>e</sup> defendant y<sup>e</sup> cost of y<sup>e</sup> suit. The cost allowed by the Court is nine shillings six pence.

9. Cap<sup>t</sup> John Williams, of Scituate, plaintiff, against John Holbrooke, of Scituate, defendant. Jury find for the plaintiff 11<sup>sd</sup>, silver money, debt due by bill & cost of the suit. The cost allowed by the Court in this action is thirty shillings.

Nathaniel Church, late constable of Scituate, having been at considerable trouble & charges to apprehend & bring to prison Nathaniel Rawlings & Robert Doughty, the Court orders, that ten shillings be paid to him, s<sup>d</sup> Church, by y<sup>e</sup> Treasurer, & other ten shillings delivered to him out of the estate of s<sup>d</sup> Rawlings and Doughty, or out of y<sup>e</sup> estate of either of them, if it can be found.

\*Att a Court of Assistants held at New Plimouth, the first Tuesday in July, 1686.

[\*69.]

M<sup>rs</sup> Elizabeth Vial, relict of M<sup>r</sup> John Vial, deceased, appearing at his majesties Court held at Plimouth y<sup>e</sup> first Tuesday in June, 1686, producing an instrument s<sup>d</sup> to be the will of her late husband, and offering a probate of the same. But M<sup>r</sup> John Vial, eldest son of s<sup>d</sup> M<sup>r</sup> John Vial, deceased, in behalf of himself, and others of his brothers and sisters, entered a caution with the Court, and gave some reasons for it, and made his request to the Court that the probate of s<sup>d</sup> will might be suspended to this Court. Said M<sup>rs</sup> Elizabeth Vial at this Court appeared, and urged that s<sup>d</sup> will might be proved; and Cap<sup>t</sup> Anthony Checkley, as attorney, and in behalf of s<sup>d</sup> M<sup>r</sup> John Vial, eldest son of the abovesaid John Vyal, deceased, as alsoe others of the children of s<sup>d</sup> deceased, appeared and produced his reasons, and gave in sundry testimonys to make appear the will to be uncertaine, unreasonable, &c, and therefore desired it might not be allowed, but made null by this Court. This Court having seen the s<sup>d</sup> will, and heard what was said, and considered what produced by both party's, and finding much uncertainty in said will in most parts thereof, whereby the mind of the testator cannot well be understood, and considering that by reason of the alteration of the estate since s<sup>d</sup> will was first made, there is nothing really given to the children he had by his first wife, doe therefore not admitt the probate thereof, but judge it voyd.

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Yett in the disposall and setting of y<sup>e</sup> estate do judge meet that there be respect had as much as may be to the mind of the deceased in the writing presented as his will. Entered by

SAM<sup>l</sup> SPRAGUE, Recordr.

*At the Court of Assistants held for our Sovereigne Lord the King at New Plimouth, y<sup>e</sup> first Tuesday in Octobr, 1686.*

CAP<sup>t</sup> NATH<sup>l</sup> THOMAS in the behalfe of M<sup>rs</sup> Elizabeth Viall, appeared in Court, and requested (a review or) that the Court would graunt a rehearing of the matter relating to the will of M<sup>r</sup> John Vial, deceased, and offered pleas for the probate of s<sup>d</sup> will, and for the reversing of the judgment of Court given in s<sup>d</sup> case in July last.

And the Court have granted s<sup>d</sup> request, and admitt a rehearing of s<sup>d</sup> case at y<sup>e</sup> next Court of Assistants, and do therefore order, that timely notice be thereof given to Cap<sup>t</sup> Anthony Checkley and John Vial, of Boston, who are therein concerned, that they may be present at s<sup>d</sup> next Court to hear w<sup>t</sup> may then be alleaged or objected by s<sup>d</sup> Cap<sup>t</sup> Thomas, and make answer thereto if they see cause.

[\*70.]

John Jones & Jonathan Eames at y<sup>e</sup> next Court of Ass<sup>s</sup> rendered their excuse to the Courts satisfaction, & their fine was remitted, October, 1686.

\*July, 1686. Edward Southworth for not serving on }<sup>1</sup> <sup>s</sup> <sup>d</sup>  
the petty jury at July Court, 1686, fined . . . . . } 00 : 10 : 00  
John Jones, Sen<sup>r</sup>, for the same, fined . . . . . 00 : 10 : 00  
Jonathan Eames, for the same, fined . . . . . 00 : 10 : 00  
Sheargashub Bourn, for y<sup>e</sup> same, fined . . . . . 00 : 10 : 00  
& John Gibs, for the same, fined . . . . . 00 : 10 : 00  
William Mayo, of Eastham, convict in Court for cursing, fined five shillings, or to sitt in the stocks two hours and pay fees of Court.

William Mayo, convict for being overtaken w<sup>th</sup> drink, fined five shillings, or sitt in the stocks two hours & pay fees of Court.

P<sup>d</sup> 3<sup>all</sup> in full & fees.

Nath<sup>l</sup> Warren, of Middlebury, convict for breach of his ma<sup>ties</sup> peace, fined three shillings 4<sup>d</sup> pence & fees of Court.

P<sup>c</sup> 3<sup>al</sup> & fees.

Joseph Merey, convict for breaking the peace, fined three shillings 4 pence & fees of Court.

Henry Joslen, convict in Court for breach of the peace, & the agravating circumstances of it, fined six shillings & eight pence & fees of Court.

John Barlow, convict for lascivious cariages towards & w<sup>th</sup> Mary, the wife of Nehemiah Bessey, fined forty shillings & fees of Court, and stand bound to his good behaviour till the next Court of Assistants.

And the said Mary Bessey for her uncivill cariages to & with s<sup>d</sup> John Barlow, being thereof convict in Court, fined twenty shillings & fees of Court.

Rob<sup>t</sup> Godfrey, and Hannah, his wife, convict in Court for fornication before ma<sup>r</sup>iage, but after contract, as thay pleaded, fined five pounds and fees of Court.

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6 July.

[HINCKLEY  
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\*At the Court of Assistants held for our sovaigne lord the King at New Plymouth, on the first Tuesday of October, 1686.

[\*71.]

Sumōned to serve on the petty jury the persons next following, viz<sup>t</sup>: —

Stephen Skeff,  
 ‡Cap<sup>t</sup> John Williams, ‡  
 William Barrell,  
 John Jones,  
 Jonathan Eames,  
 David Alden,  
 William Swift,  
 Benjamin Foster,  
 John Dunham,  
 ‡John Bryant, Jun<sup>r</sup>, ‡x  
 Elkanah Cushman,  
 ‡William Shirliff, ‡x  
 William Fobes,  
 Nathaniel Hall,  
 ‡Samuel Lucas, ‡x  
 Josiah Morton.

} Sworne and served in all actions  
 and cases tryed by jury at s<sup>d</sup> Court.

The third day of November, 1686, appointed p<sup>r</sup> y<sup>e</sup> Court to be celebrated by all the inhabitants of this colony in thanksgiving, &c.

In answer to a petition presented to this Court p<sup>r</sup> William Wetherell, of Taunton, the s<sup>d</sup> Court have ordered that a fine of five pounds in the hands of Robert Godfrey, of s<sup>d</sup> Taunton, be given and delivered to the petitioner, and that the Treasurer of the colony give order for the payment of the same to s<sup>d</sup> Wetherell.

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Memorand: a  
copy of Mr  
Seaberry's in-  
ventory.

[\*72.]

Whereas, by the order of Court bearing date y<sup>e</sup> 4<sup>th</sup> of June, 1686, a co<sup>m</sup>mittee was appointed to run the line and fix bounds between the lands of the town of Plimouth & the lands called the Majors Purchase, who having, as they say, performed the same and made report of their acting therein to this Court, and some objection being made by the agents of Plimouth against s<sup>d</sup> acting, the Court did not see reason to accept therof at present, but have demurred on that matter till the next Court of Assistants, and in the meane time do advise both partyes to see if they can agree between themselves, ^  
reference to y<sup>e</sup> p<sup>m</sup>ises.

\*October Court, 1686. John Williams, of Scituate, plain<sup>t</sup>, upon an appeale against Thomas Waid, defendant. The jury find for the plain<sup>t</sup>iff five pounds seventeene shillings, damage, & y<sup>e</sup> cost of the suite. Y<sup>e</sup> cost allowed p<sup>r</sup> y<sup>e</sup> Court is 4<sup>l</sup> 7<sup>s</sup> 3<sup>d</sup>.

Cap<sup>t</sup> John Williams, of Scituate, plaintiff, in an action of review against Sam<sup>l</sup> Holbrooke, of Scituate, defendant. Ye jury say, we find for the de- fendant the cost of the suit. The cost allowed by the Court is eleven shillings & six pence.

John Dotey, of Plimouth, plain<sup>t</sup>iff, against John Bradford, of s<sup>d</sup> Plim- outh, defendant. The action barrd because it ought first to have been tryed at a County Court.

And nine shillings cost allowed p<sup>r</sup> y<sup>e</sup> Court to y<sup>e</sup> defendant.

Memorandum. Y<sup>e</sup> first Tuesday of October, 1686. Daniell Wilcocks, Sen<sup>r</sup>, of Pankoteest, acknowledgeth to owe to our soveraigne lord the King, & c, the s<sup>u</sup>m of five hundred pounds sterling, to be levyed on his person. lands, goods, or chattels.

The condition, & c, that whereas y<sup>e</sup> above bound Wilcox stands pre- sented for purchasing of lands of an Indian, within this government, con- trary to y<sup>e</sup> laws thereof; if, therefore, the s<sup>d</sup> Daniell Wilcock shall & doe personally appear at the Court of Assistants, to be holden at Plimouth on the first Tuesday in Aprill next, to answer his s<sup>d</sup> presentment, and abide & per- form the judgment & sentence of s<sup>d</sup> Court, and not depart therefrom without licence, that then, & c.

This recognizance taken before y<sup>e</sup> Court. As attests

SAM<sup>l</sup> SPRAGUE, Recorder.

Nathaniell Parker, for his profane speeches & abusive cariage to Edward Jenkens, having been convict before the Court, sentenced to pay a fine of ten shillings & fees of Court.

Octob<sup>r</sup>, 1686 Abell Burt, and Grace, his wife, being under bonds for appearance at this Court, to answer their presentment, and being three times called in Court, & not appearing nor answering, the Court declared s<sup>d</sup> bond of ten pounds to be forfeited, but afterwards ordered, that if s<sup>d</sup> Burt shall pay the sum of five pounds money to the colony Treasurer, that it shall be accepted in full of satisfaction from s<sup>d</sup> Burt respecting the premises.

In reference to a petition presented to this Court by M<sup>rs</sup> Dorathy Clark relating to a difference betweene her husband and herself, the Court declare that they do not see reason to graunt her desires in s<sup>d</sup> petition.

\*Att a Court of Assistants held at Plimouth on the first Tuesday in Octob<sup>r</sup>, 1686.

Whereas William Clark, of Plimouth, came personally into this Court, & declared that whereas he had given information, May 24<sup>th</sup>, 1686, to the hon<sup>rd</sup> William Bradford, Treasurer & Deputie Govern<sup>r</sup>, that there were lately, viz<sup>t</sup>, about said time sundry barrells of mackrill caught with sains at Cape Cod, contrary to order of Court in that case provided, whereby the s<sup>d</sup> Bradford made a water bayliff, according to order of Court in that case alsoe provided, with a warrant directed to him to make seizure of all such mackrill as p<sup>r</sup> s<sup>d</sup> warrant on file more at large appeareth, with s<sup>d</sup> officers return indorsed thereon, and a warrant sent to the constable of Eastham, to give notice that such as owned the s<sup>d</sup> mackrill might appear at his majesties Court of Assistants, to be held in July last past, to defend their interest; the s<sup>d</sup> Court then for weighty reasons suspended any proceeds in that case at that Court, & referred the matter to tryall at this present October Court, wherein s<sup>d</sup> Clark in open Court informed as aboves<sup>d</sup>, and desired liberty of this Court to prosecute his information, which was granted unto him, and then appeared in Court Cap<sup>t</sup> Jonathan Sparrow, of Eastham, as attorney for Sam<sup>l</sup> Smith & John Mayo, of s<sup>d</sup> Eastham, to defend their interest in s<sup>d</sup> mackrill, & amongst other matters pleaded in barr of the proceeding of any action at this Court, not having sufficient warning according to law to answer the same, &c,—this Court, therefore, graunt time till next Court of Assistants to be held at Plimouth the first Tuesday in Aprill next, that such due prosces according to law might be had for tryall of s<sup>d</sup> case as the matter may require.

[In an unknown handwriting.]

\*At Octob<sup>r</sup> Court, 1686. Jacobus Loper & Lidia Young, having been presented by the grand jury (at June Court last) for uncivill cariages to or with each other, as p<sup>r</sup> the s<sup>d</sup> presentment on file more at large appeareth, at this Court appeared to answer their s<sup>d</sup> presentment, and s<sup>d</sup> Loper traversed

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[\*73.]

[\*74.]

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his presentment, & put himself upon tryall by a petty jury, who found him not guilty, & so he & s<sup>d</sup> Lidia were released.

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[In the handwriting of Secretary Sprague.]

Know all men by these presents, that I, Dorathy Clarke, of Plimouth, am holden & firmly obliged unto Liv<sup>t</sup> Ephraim Morton, of said Plimouth, in the penall sum of five hundred pounds, currant money of New England, to the true payment whereof, I, the said Dorathy Clarke, do bind my self, my heires, executors, & administrators, unto him, the s<sup>d</sup> Ephraim Morton, his heirs, executors, & administrators, firmly by these presents, sealed with my seal, dated the eighth day of October, 1686.

The condition of this obligation is such, that whereas the said Ephraim Morton stands bound in the penall sum of five hundred pounds, currant money of New England upon publick record in Plimouth Court records, dated July, 1686, that the said Dorathy shall performe on her part, in all respects, the conditions of an agreement then made between her and Nathaniel Clarke, her husband, then recorded in the s<sup>d</sup> Court records. If, therefore, the said Dorathy Clarke, her heirs, executors, or administrators shall save harmless & keep indemnified the s<sup>d</sup> Ephraim Morton, his heirs, executors, & administrators from all manner of charge, trouble, or damage that may accrue to him, the s<sup>d</sup> Ephraim Morton, his heires, executors, or administrators, by reason of y<sup>e</sup> s<sup>d</sup> engagement or bond aforesaid upon record, that then this obligation to be voyd and of none effect; otherwise to stand in full force and vertue.

DORATHY CLARKE.



Seal.

Signed, sealed, & delivered, in presence of vs,  
Christopher Almey,  
Nathaniel Thomas.

Dorathy Clarke, within mentioned in the bond above written, coming before me the 15<sup>th</sup> of October, 1686, did freely own & acknowledge the bond and obligation above written to be her free act and deed.

WILLIAM BRADFORD, Dep<sup>t</sup> Govern<sup>r</sup>.

Entered & recorded,

P SAM<sup>l</sup> SPRAGUE, Record<sup>r</sup>.



*\*.At their Majesties Generall Court of Election held at Plimouth, for the Colony of New Plimouth, the first Tuesday of June, An<sup>o</sup> Dom<sup>i</sup> 1689.*

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**T**HOMAS HINCKLEY, ESQ<sup>R</sup>, chosen Govern<sup>r</sup>, & sworne.

William Bradford, Esq<sup>r</sup>, chosen Deputy Govern<sup>r</sup>, & sworne.

John Freeman,	}	Esq <sup>r</sup> s, chosen Assistants.
Daniel Smith,		
Barnabas Lothrop,		
John Thacher,		
John Walley,		
John Cushing,		

Barnabas Lothrop, Esq<sup>r</sup>, did not accept of the office of an Assistant.

All the rest above named accepted & tooke oath in Court.

William Bradford, Esq<sup>r</sup>, chosen Treasurer, and sworne.

Sam<sup>l</sup> Sprague, chosen Secretary, & sworne.

William Bassitt, chosen Chief Marshall, & sworne.

The Court appointed Will<sup>m</sup> Bradford, Esq<sup>r</sup>, Deputy Gou<sup>r</sup>, to administer y<sup>e</sup> oath to the Govern<sup>r</sup>.

The Deputies of the severall Towns were the persons following, viz<sup>t</sup>: —

John Bradford,	}	. . . . . of Plimouth.
Isaac Cushman,		
Edward Southworth,	}	. . . . . of Duxbury.
Seth Arnold,		
Joseph Silvester,	}	. . . . . of Scituate.
Jeremiah Hatch,		
Stephen Skeff,	}	. . . . . of Sandwich.
Thomas Tupper,		
Capt <sup>t</sup> Thomas Leonard,	}	. . . . . of Taunton.
Nath <sup>l</sup> Williams,		
Nicholas Peck,	}	. . . . . of Rehoboth.
Samuel Peck,		
Shewball Dimmeck,	}	. . . . . of Barnstable.
John Goram,		
John Miller,	}	. . . . . of Yarmouth.
Jeremiah Howes,		

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Nath <sup>l</sup> Winslow,	}	. . . . . of Marshfield.
John Barker,		
Cap <sup>t</sup> Jonathan Sparrow,	}	. . . . . of Eastham.
Mark Snow,		
William Brett,	}	. . . . . of Bridgwater.
Timothy Brookes,		
William Hayward,	}	. . . . . of Swansea.
Cap <sup>t</sup> Seth Pope,		
Jonathan Dillano,	}	. . . . . of Dartmouth.
Isaac Howland,		
John Rogers,	}	. . . . . of Middlebury.
Jabiz Howland,		
Henry Head,	}	. . . . . of Bristol.
Thomas Terrey,		
	}	. . . . . of Little Compton.
	}	. . . . . of Freetown.

The names of the Select Men of each Town who are approved p y<sup>e</sup> Court.

Serj <sup>t</sup> William Harlow,	}	. . . . . of Plimouth.
Joseph Bartlett,		
Nath <sup>l</sup> Southworth,	}	. . . . . of Duxborough.
Leiu <sup>t</sup> Jonathan Alden,		
En <sup>s</sup> John Tracey,	}	. . . . . of Scituate,
John Wadsworth,		
Sam <sup>l</sup> Clapp,	}	. . . . . of Sandwich.
James Briggs,		
Thomas Ginkens,	}	. . . . . of Taunton.
Thomas Tupper,		
William Bassitt,	}	. . . . . of Taunton.
Shirjashub Bourn,		
Cap <sup>t</sup> Thomas Leonard,	}	. . . . . of Taunton.
William Harvey,		
Henry Hodges,	}	. . . . . of Taunton.
Nathaniell Williams,		
James Leonard, Jun <sup>r</sup> ,	}	. . . . . of Taunton.
•Leiu <sup>t</sup> Nicholas Peck,		
John Peck,	}	. . . . . Rehoboth.
Gilbert Brookes,		
Thomas Cooper,	}	. . . . . Rehoboth.
& Will <sup>m</sup> Carpenter,		

Capt Joseph Lothrop,	}	. . . . . of Barnstable.
John Howland,		
Leiu <sup>t</sup> Lewes,	}	. . . . . of Yarmouth.
John Miller,		
Jeremiah Howes,	}	. . . . . of Marshfield.
Leiu <sup>t</sup> Seares,		
Nath <sup>l</sup> Winslow,	}	. . . . . of Eastham.
Josiah Snow,		
Jonathan Bangs,	}	. . . . . Bridgewater.
John Done,		
Mark Snow,	}	. . . . . Swansea.
^ ^		
^ ^	}	. . . . . of Dartmouth.
^ ^		
Seth Pope,	}	. . . . . of Middlebury.
Jonathan Dillano,		
James Sisson,	}	. . . . . of Bristol.
Sam <sup>l</sup> Wood,		
Joseph Vahan,	}	. . . . . of Little Compton.
Nath <sup>l</sup> Warren,		
M <sup>r</sup> Stephen Burton,	}	. . . . . of Freetown.
John Rogers,		
William Throope,	}	. . . . . of Freetown.
Capt Edward Richmond,		
x ‡Leiu <sup>t</sup> Tho <sup>s</sup> Way <sup>t</sup> , ‡	}	. . . . . of Freetown.
x ‡Robert Brownell, ‡		
Thomas Terrey,	}	. . . . . of Freetown.
Job Winslow,		
x ‡John Reed, ‡	}	. . . . . of Freetown.

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 [HINCKLEY,  
 GOVERNOR.]  
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New Plimouth, June 7<sup>th</sup>, 1689. Nathanael Clarke, of Plimouth, appeared before this Court and acknowledged himself (as principle) to owe & stand bound p<sup>r</sup> recognizance unto our soveraigne lord & lady, the King & Queen of England, &c, in the penall sum of two hundred pounds sterling, and William Clarke and James Clarke, Seni<sup>r</sup>, both of Plimouth, afors<sup>d</sup>, each of them as sureties, in the sum of one hundred pounds sterling, &c, to be levied on each of their lands, goods, & chattels.

7 June.

The condition of this recognizance is such, that, whereas the above bounden

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Nath<sup>l</sup> Clarke is, by sundry of the inhabitants of the town of Plimouth, declared to be a publicke enemy to (and disturber of the peace of) this colony, &c.

Now, if the s<sup>d</sup> Nathanael Clarke shall be of good behaviour towards our s<sup>d</sup> lord and lady, and all their liege people, and especially towards the inhabitants of s<sup>d</sup> town, and make his personall appearance at the next Court of Assistants, to be holden at Plimouth aforesaid, on the first Tuesday in October next, to answer to such matters and things as on their said ma<sup>ties</sup> behalf, shall then & there be objected against him, & not depart said Court without licence; that then, &c.

The above recognizance taken before the Generall Court, June y<sup>e</sup> 7<sup>th</sup>, 1689.

As attests SAM<sup>l</sup> SPRAGUE, Sec<sup>r</sup>.

Nath<sup>l</sup> Clarke, aboves<sup>d</sup>, made his appearance at s<sup>d</sup> Court of Assistants, & was released of his bond aboves<sup>d</sup>.

Attest, SAM<sup>l</sup> SPRAGUE, Record<sup>r</sup>.

7 June.

June 7<sup>th</sup>, 1689. This Court granted to John Murdo 40 feet in length of land fronting on the street, against William Shurtliffs, & to reach or extend in depth to Bonums land, for & in consideration of 3 pounds, money, which s<sup>d</sup> Murdo y<sup>a</sup> p<sup>d</sup> to the Treasurer, who is to give s<sup>d</sup> Murdo a deed for the same.

At y<sup>e</sup> County Court held at Barnstable, October y<sup>e</sup> 15, 1689, Samuel Hammond, Sam<sup>l</sup> White, Aaron Barlow, and John Wing, all of Rochester, took the oath of a freeman.

Attest, JOSEPH LOTHROP, Clerk.

Transcribed & here entered,

p SAM<sup>l</sup> SPRAGUE, Secretary.

4 June.  
[\*77.]

*\*At their Ma<sup>ties</sup> Generall Court of Election held at Plimouth, for the Colony of New Plimouth, on the first Tuesday in June, 1689.*

WHEREAS, through the great changes divine Providence hath ordered out, both in England and in this countrey, we, the loyall subjects of the crown of England, are left in an unsetled estate, destitute of gove<sup>r</sup>-

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ment, and exposed to the ill consequents thereof; and having heretofore enjoyed a quiet settlement of government in this their ma<sup>ties</sup> colony of New Plimouth for more than threescore and six years without any interruption; having also been by the late Kings of England from time to time, by their royall letters, graciously owned and acknowledged therein, whereby notwithstanding our late unjust interruption and suspension therefrom by the illegall arbitrary power of S<sup>r</sup> Edmond Andros, now ceased, the Generall Court held here in the name of their present ma<sup>ties</sup>, William and Mary, King and Queen of England, &c, together with the encouragement given by their said ma<sup>ties</sup> gracious declarations, and in humble confidence of their s<sup>d</sup> ma<sup>ties</sup> good liking, doe, therefore, hereby resume and declare their reassuming of their said former way of government, according to such wholesome constitutions, rules, and orders as were here in force in June, 1686, our title therto being warranted by prescription and otherwise as aforesaid, and expect a redy submission thereunto by all their ma<sup>ties</sup> good subjects of this colony, untill their ma<sup>ties</sup> or this Court shall otherwise order.

And that all our Courts be hereafter held, and all warrants directed, and officers sworn, in the name of their ma<sup>ties</sup>, William and Mary, King and Queen of England, &c.

The Generall Court request the honourable Govern<sup>r</sup>, Thomas Hinckley, Esq<sup>r</sup>, in behalf of s<sup>d</sup> Court and colony of New Plimouth, to make their adress to their ma<sup>ties</sup>, the King and Queen of England, &c, for the reestablishment of their former enjoyed liberties and priviledges, both sacred and civill.

And also to endeavour the regaining of our publique seal if it may be, and if otherwise, to procure a new one, and this colony to defray the charge of it.

Ordered by the Generall Court, that in such towns where the select men are not accepted, or are not yet chosen, that such towns make a new choyce out of the freemen of such town, and the persons so chosen to appear before some magistrate, and take the oath usually administered in such case.

Ordered, that the constables of the year 1686 be accountable to the Treasurer for the country rates committed to them, and that the inhabitants of the towns that paid not the rates of s<sup>d</sup> year to the constables pay them, or for neglect they make distress for the same, or so much thereof as is unpaid.

And for as much as there were rates made in the severall counties in the late government for payment of wolves heads and other county debts, or

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 [HINCKLEY,  
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 [\*78.]

dered, that the severall constables accompt with the late sheriffs or county treasurers, and what is unpaid to pay in to them. And if any rates unpaid to the constable, he to demand the same, & for refusing or neglecting to pay the same, they to make distress.

\*Also ordered, that the sheriffs or county treasurers of the severall counties under the late govern<sup>t</sup> give in an accompt of all moneys received and paid belonging to the king or county, to such committee as this Court shall appoint to receive and adjust the same.

The Court have appointed John Walley, Esq<sup>r</sup>, Leiu<sup>t</sup> Ephraim Morton, John Bradford, Isaac Cushman, and John Barker, or any three of them, to make enquiry concerning any goods or estate of the colonies that may be in the hands of any persons, and to require and take account of such persons concerning the premisses, and give accompt thereof to the Court; also to accompt with the Treasurer and the late county sheriffs, or county treasurers, with respect to rates or fines, money or other estate, any ways belonging to the king, or countrey, or county. And s<sup>d</sup> countrey Treasurer, county sheriffs, and county Treasurers are ordered and required to accompt with s<sup>d</sup> committee accordingly.

Ordered by this Court and the authority thereof, that the chief commanders of each regiment as was in the year 1686, before the late alteration of government, be continued in their severall places, and have the same power they had by their severall commissions at that time, and are so to continue untill this Court doth otherwise order.

As also that the captains, leiu<sup>ts</sup>, and ensignes, or so many of them as are living, that were in commission in the year 1686, before the alteration of the government, be also continued in their severall places, and have the same power they had by their severall commissions at that time, and are so to continue untill this Court shall further order; and in the mean time, such towns as had not then officers commissioned at that time, or where any officers are since dead, for a supply of all such towns, they are, in the severall towns, to make choice according to law of such officers as are or shall be wanting, and to present them to the Generall Court for approbation by the first opportunity. And forasmuch as the towns of Marshfield & Swansey have manifested some dislike to their captains, the Court therefore orders, that the companies of those towns be commanded by the leiu<sup>t</sup> and ensignes of their severall towns untill the next Generall Court.

Ordered by the Generall Court, that the originall charter of this colony made to William Bradford, his heirs and associates, be committed to publique record.

June 7<sup>th</sup> : 89. Ordered, that the 27<sup>th</sup> instant be observed & kept as a publique day of thanksgiving throughout this colony. 1689.

By order of the Generall Court of New Plimouth.

SAM<sup>l</sup> SPRAGUE, Secretary.

7 June.  
[HINCKLEY,  
GOVERNOR.]  
PART II.

*\*At a Generall Court holden for their Ma<sup>ties</sup> at New Plimouth, August 14<sup>th</sup>, 1689.* 14 August. [\*79.]

BEFORE Thomas Hinckley, Esq<sup>r</sup>, Govern<sup>r</sup>, John Thacher,  
William Bradford, Esq<sup>r</sup>, Deputy Govern<sup>r</sup>, John Walley, &  
John Freeman, John Cushing, Esq<sup>r</sup>,  
Assistants.

THE deputies that appeared & attended at s<sup>d</sup> Court were these underwritten, viz<sup>t</sup>: —

John Bradford,	}	. . . . . of Plimouth.
Isaac Cushman,		
Edward Southworth,	}	. . . . . of Duxborough.
Seth Arnold,		
Joseph Silvester,	}	. . . . . of Scituate.
Samuel Clapp,		
Stephen Skeff,	}	. . . . . of Sandwich.
William Bassitt,		
Thomas Leonard,	}	. . . . . of Taunton.
John Hall,		
Samuel Peck,	}	. . . . . of Rehoboth.
Thomas Cooper,		
John Gorum, . . . . .	}	. . . . . of Barnstable.
Silas Seares,		
John Miller,	}	. . . . . of Yarmouth.
Isaac Little,		
Nath <sup>l</sup> Winslow,	}	. . . . . of Marshfield.
Mark Snow,		
John Done,	}	. . . . . of Eastham.
Thomas Haward,		
William Brett,	}	. . . . . of Bridgewater.

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William Hayward,	}	. . . . . of Swansey.
Hugh Cole,		
Seth Pope, . . . . .		of Dartmouth.
Isaac Howland, . . . . .		of Middleborough.
M <sup>r</sup> N. Bifield,	}	. . . . . of Bristoll.
M <sup>r</sup> John Saffin,		
Joseph Burge, . . . . .		of Rochester.

Absent that were chosen : Barnabas Lothrop, Esq<sup>o</sup>, John Miller, Hugh Cole, Jonathan Dillano, Cap<sup>t</sup> Nath<sup>l</sup> Byfield; none appearing for Little Compton or Freetown.

Decem<sup>r</sup> 25. H. Head, . . . . . of L. Compton.

Th<sup>o</sup> Terrey, . . . . . of Freetown.

Thomas Hinckley, John Walley, Esq<sup>rs</sup>, were chosen co<sup>m</sup>ission<sup>rs</sup> for the remaining part of this following year.

M<sup>r</sup> Nath<sup>l</sup> Byfield, Cap<sup>t</sup> Jonathan Sparrow, & Leiu<sup>t</sup> Isaac Little chosen to be of the councill of war.

In refference to the motion made by the honourable Councill & Generall Convention of our friends & neighbours at Boston, for our advice & assistance in repelling & suppressing the barbarous heathen, that have co<sup>m</sup>itted many barbarous murders and outrages at the easteren parts on the subjects of the crown of England, this Generall Court declare their concurrence therein according to our weak capacity, and do committ the management thereof to Thomas Hinckley and John Walley, Esq<sup>rs</sup>, their co<sup>m</sup>ission<sup>rs</sup>, chosen for that end, both for the inquiry into the grounds of s<sup>d</sup> war, for farther satisfaction, & to order all other suitable means & actions as they shall se cause, with the advice and concurrence of such as may be co<sup>m</sup>issionated thereunto by our friends and ancient confederates of the Massachusetts and Co<sup>n</sup>ecticut, or by any other of their ma<sup>t</sup>ies colonies that may be concerned therein, as may through Gods blessing conduce to the co<sup>m</sup>on good & safety of the whole against the co<sup>m</sup>on enimie, according to such instructions as are by the Court given to them.

S<sup>d</sup> instructions follow, viz<sup>t</sup> : —

1. That our s<sup>d</sup> co<sup>m</sup>ission<sup>rs</sup> make diligent inquiry into the grounds of s<sup>d</sup> war, and accordingly satisfie themselves therewith.
2. That they take care that we be not overcharged beyond our proportion for the carrying on s<sup>d</sup> war.



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3. That, if it be consonant to justice and reason, we may not be involved in the charges formerly contracted about s<sup>d</sup> Indians or other publique affaires.

4. That such due encouragement may be given to souldiers, that if it may be there may be enough rayseed to go volluntarily, without pressing, such encouragement to be six shillings p<sup>r</sup> weeke, money or monies value, \* for each private souldier, and eight or ten pound p<sup>r</sup> head to our company, or souldiers, for every fighting man of the enimy, whose scalp shall be brought in to such person or officer as shall be appointed to take notice or knowledge thereof, and also to have all the persons as they shall take & captivate, and all portable plunder divided amongst them. And if any souldier of ours shall be maimed in s<sup>d</sup> war, and thereby disabled to maintaine themselves, he or they to be provided for, relieved, & maintained in such capacity as he or they lived in before concerned in s<sup>d</sup> war, and also to have victuals & aṃnition allowed while upon the expedition.

5. That in regard the other colonies are better stored with provision and aṃnition then our selves, they may disburse on the publique faith, to be repaid in time convenient.

6. That our proportion of souldiers wages, or what shall, in the close, remaine due both to English and Indians in these parts, may be paid by us here at home, to prevent charge of transportation & other loss.

7. That care be forthwith taken to engage the Mowhawke Indians with us against our said enimies by sending some meet person to them with a present, and to t<sup>r</sup>eat with them in order there to.

It is ordered by this Court and the authority thereof, that all the Indians in this colony keepe within their severall precincts, or the bounds of the townships wherein they at present reside, and pas not out by night or day without a certificate from a magistrate, or select man of the town, or coṃission officer, on the paine of imprisonment, according to the discession of the town councill of the town where such Indian or Indians are taken & apprehended.

Ordered, that all Indians coṃing from other colonies or parts of this cuntry, and not having passes, be secured, by any, either English or Indians, & brought before the next magistrate, or next chief military officer, to be examined and proceeded with as there m<sup>a</sup>y be reason.

Ordered by this Court and the authority therof, that if any person, English or Indian, apprehend and bring before authority any man that is an Indian enimy, he shall have ten pounds for a reward if he bring him alive, & five pounds if killed, provided it be evident it be an enemie Indian.

Ordered by the authority aforesaid, that such person, English or Indian,

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as shall first make discovery to any officer, military or civil, of any dangerous & considerable plott or conspiracy of the Indians or others against the English, so as the danger may be prevented & the conspirators, or any considerable part of them, may be apprehended, such Indian, if a servant, shall be freed, and his master have rationally satisfaction; if an Englishman or free Indian, he shall have ten pounds reward.

Ordered by this Court and the authority thereof, that the magistrates dwelling in the severall counties meet at their severall county towns upon the first Wednesday of September next, at which time and place the severall towns are to take care that their constables and grand-jury men be warned to appear at the county towns of their severall counties, to be then approved and sworne, at which time the said magistrates are impowered to settle all such officers as are proper for the counties, and swear them as the law directs, and may then graunt administrations and take the probate of wills; alsoe, at the time and place aforesaid, all inkeepers & retailers of wines, strong liquors, beere, cyder, &c, within the severall counties, are required to appear & renew their licences, and that none after said time presume to keepe a publique house of entertainment & retaile wine, liquors, beere, cyder, &c, untill they have obtained or renewed their licences, on penalty as the law directs. It is also ordered, that the magistrates of each county, according to their best discession, do appoint & set such summs to be paid by each person as renews or takes up a licence, as to them shall be accounted reasonable, to be proportioned as near as they can after the rate of fifty pounds for the publick houses of the whole colony, and no licence to be granted untill there be paid half of each his proportion, the other half to be paid at the expiration of the year.

[\*81.]

\*It is also ordered, that such constables as are already sworne are allowed and impowered to act in their severall places as if they had been presented to the county Courts as the law directs.

Alsoe ordered, that the millitary officers of each town forthwith use their endeavour to encourage English & Indians to a vulluntary going out in this present expedition under comānd of Capṭ Church, and such persons to list and give an account thereof to said capṭ or other officer. And if for the Indian souldiers, they or the select men, or any inhabitant, supply them with any thing for their present necessity & encouragement, it shall be allowed or paid to them by the Treasurer out of the next rate.

It is ordered by this Court and the authority thereof, that each towne or village in this colony that have not officers, or that are not compleat with officers, that they with all convenient speed have a meeting to make choice of officers as the law directs, the time to be appointed by the respective

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majors or chief military officer in each towne, or where no military officer, to be appointed by the select men, or the major part of them, and their respective choice to be returned to the councill of war, and if their choice appear regular, that they be by them allowed and comissionated. And as for the towns of Marshfield and Swansey, that they be under the comānd of the leiu<sup>ts</sup> and ensignes (of their respective towns) that they had in the year 1686, untill the Court take farther order therein, and that the souldiers of each towne are required to yield obedience to them upon paine of such fines & punishments as are by law provided.

It is ordered by this Court and the authority thereof, that the deputies and select men, or the major part of them, in each town do forthwith, upon sight hereof, in such way as to them seems most suitable, use their interest with the inhabitants of the severall towns to advance & lend for the colonies use so much money as they shall be willing too, not to be less for each town than the proportion herewith sent, or agreed on by the Court, which money so lent or advanced shall be allowed them out of the next rate; and if any lay downe more, it shall be repaid them by the Treasurer out of the first rate; which su<sup>m</sup> or su<sup>m</sup>s so raysed or advanced is to be forthwith sent and paid to Thomas Hinckley and John Walley, Esq<sup>rs</sup>, commission<sup>rs</sup> for the colony, or whome they shall appoint; s<sup>d</sup> money to be paid and disposed by s<sup>d</sup> comi<sup>ss</sup>ion<sup>rs</sup> or council of war, for such use onely as the present necessity of the colonies service calls for with respect to this present expedition, which cannot be caryed on without laying out of present money.

Each town's proportion is as followeth, viz<sup>t</sup>: —

	ll	s	d		ll	s	d
Plimouth, . . . . .	5	0	0	Dartmouth, . . . . .	3	10	0
Duxborough, . . . . .	2	10	0	Middleborough, . . . . .	1	0	0
Bridgewater, . . . . .	3	0	0	Monamoy, . . . . .	0	10	0
Scituate, . . . . .	8	0	0	Little Compton, . . . . .	2	10	0
Sandwich, . . . . .	5	0	0	Freetowne, . . . . .	0	10	0
Taunton, . . . . .	6	0	0	Bristol, . . . . .	4	0	0
Yarmouth, . . . . .	4	0	0	Rochester, . . . . .	0	10	0
Barnstable, . . . . .	5	0	0	Succonesset, . . . . .	1	0	0
Marshfield, . . . . .	4	0	0				
Rehoboth, . . . . .	4	10	0		13	10	0
Eastham, . . . . .	4	0	0		54	0	0
Swansey, . . . . .	3	0	0				
				Su <sup>m</sup> total, . . . . .	67	10	0
	54	0	0				

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[\*82.]

\*It is ordered by this Court, that the proportion for men and armes for each towne for this present expedition shall be as followeth : each man to be provided with a well fixt gun, sword, or hatchet, a horne or cartouch box, suitable aṃmunition, & a snapsack.

	Men.	Armes.		Men.	Armes.		Men.	Ar.
Plimouth, . .	4	3	Barnstable, . .	4	3	Bristol, . .	3	2
Scituate, . .	6	5	Eastham, . .	4	3	Taunton, . .	4	4
Marshfield, . .	3	3	Sandwich, . .	3	3	Rehoboth, . .	4	3
Duxborough, . .	2	2	Yarmouth, . .	3	3	Dartmouth, . .	3	2
Bridgewater, . .	3	2	Rochester, . .	1	1	Swansey, . .	3	2
Middleborough, . .	1	1	Monamoy, . .	1	1	Freetown, . .	1	1
			Succonessett, . .	1	1	Little Compton, . .	2	2

It is ordered by this Court and the authority thereof, that if there do not appear a competent number of English souldiers in each town of this colony, to go vollunteers under the conduct of Cap<sup>t</sup> Church, or some other officer, as shall be by the councill of war appointed to go out upon the present expedition, to suppress the heathen that are enimies within any part of this countrey, that then such a number shall be pressed as shall be by the councill of war agreed upon in the severall towns where vollunteers enough do not appear. And if any person or persons shall be pressed for the future, by the advice of the town councill, or major part of them, to go out or be employed for the suppressing our said enimies, and shall refuse to goe upon such service after pressed, that every such person shall be fined four pound in money, forthwith to be paid unto s<sup>d</sup> town councill, or such one of them as they shall appoint to receive the same, or otherwise to be committed to prison by the authority of the town councill, or a magistrate, and to be imprisoned within the county where they do belong, or shall be pressed, and there to continue untill such fine shall be paid, and all such fines to be for the use of the towne where such souldier is pressed, to be improved by the discession of the town councill for the fartherence of the present war.

Samuel Dunham was by the said Court appointed under marshall & prison keeper.

The Generall Court afores<sup>d</sup> appoint th 28<sup>th</sup> of this instant August to be observed and kept throughout this colony by all the inhabitants, as a publike day of humilliation.

And adjourned to the first Wednesday of October next, 12 of y<sup>e</sup> clock.

P order of s<sup>d</sup> Court.

SAM<sup>l</sup> SPRAGUE, Secretary.

New Plimouth, October 2<sup>d</sup>. At the aboves<sup>d</sup> adjournment Barnabas Lothrop, Esq<sup>r</sup>, being in June last chosen to the office of Assistant, now accepted of s<sup>d</sup> office, and is sworn in Court.

Attest, SAM<sup>l</sup> SPRAGUE, Sec<sup>r</sup>.

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*\*At their Ma<sup>ties</sup> Generall Court held by Adjournm<sup>t</sup> at Plimouth, the first Wednesday of October, 1689.*

2 October.

[\*83.]

BEFORE Tho: Hinckley, Esq<sup>r</sup>, Govern<sup>r</sup>, John Thacher, Esq<sup>r</sup>,  
William Bradford, Esq<sup>r</sup>, Deputy Govern<sup>r</sup>, John Walley, Esq<sup>r</sup>, and  
Daniell Smith, Esq<sup>r</sup>, John Cushing, Esq<sup>r</sup>,  
Barnabas Lothrop, Esq<sup>r</sup>,  
Assistants.

With the Deputies before named in this booke, most of them present, enacted as followeth: —

**W**HEREAS by an act of this Court bearing date August 14<sup>th</sup>, 1689, the magistrates of the severall counteys were ordered to meet at their severall county towns, upon the first Wednesday of September then next following, and by s<sup>d</sup> act were authorized to settle county officers, and act and doe as in said act is at large expressed, and forasmuch as the magistrates of the county of Bristoll were by Providence disabled to attend and meet at that time, it is therefore ordered by the said Court held here by adjournm<sup>t</sup>, the first Wednesday of October abovesaid, that the magistrates of the county of Bristoll aforesaid meet at their s<sup>d</sup> county town on the second Thursday of this instant October and hereby have full power then & there to do and act in all respects as by the s<sup>d</sup> recited act is mentioned; and all persons who by s<sup>d</sup> act are concerned are hereby required to appear at and attend s<sup>d</sup> meeting.

At which time the magistrates of s<sup>d</sup> county are hereby ordered and impowered to take effectuall care & course, that the late condemned prisoner at Bristoll be secured till farther order shall be given concerning him.

Cap<sup>t</sup> Thomas Leonard is authorized by this Court to solemnize marriages in the town of Taunton till farther order from this Court.

John Cooke is authorized by this Court to solemnize marriages in the town of Dartmouth till this Court shall otherwise order.

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M<sup>r</sup> John Willis, Sen<sup>r</sup>, is authorized by this Court to solemnize marriages in the town of Bridgewater untill this Court shall otherwise order.

M<sup>r</sup> Joseph Church is authorized by this Court to solemnize marriages in the town of Little Compton untill this Court shall otherwise order,

M<sup>r</sup> Jonathan Alden chosen capt<sup>t</sup>, M<sup>r</sup> John Tracey leiu<sup>t</sup>, and M<sup>r</sup> Francis Barker ensigne, of the military company of Duxbury.

The said choice is approved of by this Court, and y<sup>e</sup> persons ordered to be comissionated.

M<sup>r</sup> Thomas Hayward, M<sup>r</sup> John Haward, and Sam<sup>l</sup> Packard chosen capt<sup>t</sup>, leiu<sup>t</sup>, and ensigne of the military company of Bridgewater. The s<sup>d</sup> choice is approved by this Court, and ordered to be comissionated; that is to say, the said Thomas Hayward capt<sup>t</sup>, John Haward leiu<sup>t</sup>, & Samuel Packard ensigne.

M<sup>r</sup> Joseph Silvester chosen captaine, and Israel Chittenden ensigne, of the military company of Scituate. The Court ap<sup>p</sup>roved of said choice, and ordered that they be comissionated.

Jonathan Hatch, Jun<sup>r</sup>, chosen ensigne of the military company of Succonesset, is approved by this Court, & order that he be comissionated.

[\*84.]

\*October y<sup>e</sup> 2<sup>d</sup>, 1689. Capt<sup>t</sup> Jonathan Sparrow chosen capt<sup>t</sup>, and Joseph Snow leiu<sup>t</sup>, and Jonathan Bangs ensigne, of the military company of Eastham. The said choice is approved by this Court, who order that they be comissionated accordingly.

M<sup>r</sup> William Clarke, having formerly hired the fishing at the Cape, & his lease not yet expired, came personally into this Court, and openly quitted his claime thereto for the future, & desired the Court to release him therefrom, which was then granted, he satisfying what is justly due to this colony for the time past.

The Court order, that the Treasurer of this colony use such lawful means as to him shall seeme meet for the recovery of what is due from M<sup>r</sup> William Clarke to this colony respecting the Cape fishing, and to receive y<sup>e</sup> same for the use of this colony.

Ordered by this Court, that the law in our printed booke, page 31, prohibiting saning for mackrill at Cape Cod be henceforth made void and of no force.

Ordered by the authority aforesaid, that the magistrates of the county of Barnstable, or any two of them, be a comittee to dispose and manage the Cape fishing as p<sup>r</sup> order of Court directed, and to impower such officers as are necessary under them to looke after the same.

It is ordered by the authority afores<sup>d</sup>, that the severall acts and orders of

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Court about fishing at Cape Cod, in our old printed law booke, page 38 & 39, viz<sup>t</sup>, so much or so many of them as are noted to be revived in the margent of s<sup>d</sup> booke, begiñing at number 4 & ending at N: 5, are all of them revived and made, and hereby declared to be of full force, untill this Court shall otherwise order.

It is ordered by this Court, that the majors of the severall regiments forthwith take care to procure a perfect list of all the males in their respective regiments, of what rank or quality soever, from the age of sixteene to sixty yeares, and to deliver the same to one of the comiissioners of this colony, at or before the fourteenth day of this instant October, by them to be caryed to Boston in order to proportion the charge of the present warr.

Ordered by this Court, that the suñ of fifty pounds be this year given to the magistrates of this colony to defray their charge & expences, and to be proportioned amongst them in mañer following; that is to say, —

	l	s	d
To the Governour, . . . . .	20	0	0
To the Deputie Gov <sup>r</sup> , . . . . .	07	0	0
To the Assistants, equally to be divided amongst them, . . . . .	23	0	0

And to be paid out of the excise money from the ordinarys, and out of the fines, amerciaments, and debts due to the colony.

And alsoe the whole profit of fishing at the Cape for this year to be divided after the proportion abovesaid.

	l	s	d
Agreed that the comiissioners shall have . . . . .	10	0	0
Agreed that the Treasurer shall have four shillings out of every pound that he shall receive or gather, for this present year.			
Agreed that the Secretary shall have . . . . .	10	0	0
And the chief marshall . . . . .	06	0	0
And the under marshall, or prison keeper, . . . . .	05	0	0

M<sup>r</sup> Stephen Skeff is authorized by this Court to solemnize marriages in the town of Sandwich untill this Court shall otherwise order.

\*October y<sup>e</sup> 2<sup>d</sup>, 1689. Ordered by this Court, that whosoever shall informe against any person for retailing any kind of strong drink without licence, and prosecute his s<sup>d</sup> information to effect, such informer shall have one moiety, or half of the fine, that such retailer shall be according to law sentenced to pay. And if any shall informe and prosecute, as afores<sup>d</sup>, against any inkeeper for the breach of any law of this colony that concerns inholders, he shall likewise have one half of the fine.

[\*85.]

Ordered, that Sam<sup>l</sup> Sprague, Secr<sup>t</sup> and Clerk of the county of Plimouth,

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repair to Capt Nath<sup>l</sup> Thomas, Sen<sup>r</sup>, who was clerk of the county Court in the year 1686, and alsoe to his son Nathaniel Thomas, Jun<sup>r</sup>, who was clerk of the said Court in the time of the late gove<sup>r</sup>ment, to demand & receive of them all such books, records, and papers, that are in their custody or were comitted to them as clerks afores<sup>d</sup>; and s<sup>d</sup> Nath<sup>l</sup> Thomas, Sen<sup>r</sup>, and Nath<sup>l</sup> Thomas, Jun<sup>r</sup>, are desired and enjoyned hereby to deliver the same to s<sup>d</sup> Sam<sup>l</sup> Sprague, who by order of this Court is to give a receipt for the same, & to secure them for the service of the countrey or county, as there is or may be occasion.

Ordered, that towards the bearing of the charge of the present warr, there be forthwith leyed and rayسد by the select men or raters of each town and village in this colony the su<sup>m</sup>s hereafter set downe and agreed on by this Court, viz<sup>t</sup> : —

	l	s	d		l	s	d		l	s	d
Plimouth, .	60	00	00	Barnstable, .	60	00	00	Bristol, . . .	35	00	00
Duxbury, .	25	00	00	Sandwich, .	60	00	00	Taunton, . . .	60	00	00
Scituate, .	88	00	00	Yarmouth, .	41	00	00	Rehoboth, . .	48	00	00
Marshfield, .	45	00	00	Eastham, .	46	00	00	Swansey, . . .	40	00	00
Bridgewater, .	28	00	00	Rochester, .	8	00	00	Little Compton,	35	00	00
Middlebury, .	14	00	00	Monamoy, .	7	00	00	Freetowne, . .	8	00	00
Foord's Farms, .	2	00	00	Dartmouth, .	40	00	00				

The severall su<sup>m</sup>s to be paid to the constables of each towne and village at or before the 25<sup>th</sup> day of November next, the same to be paid by the constables in each town & village to such as the Generall Court shall appoint; the severall su<sup>m</sup>s to be paid one third in money, one third in grain, Indian corne at two shillings p<sup>r</sup> bushell, rye two shillings and six pence p<sup>r</sup> bushell, barley two shillings p<sup>r</sup> bushell, wheat four shillings p<sup>r</sup> bushell, the other third in biefe at ten shillings p<sup>r</sup> C, and porke at two pence p<sup>r</sup> pound; the charge of transportation, after it is delivered p<sup>r</sup> order aboard any vessel, to be allowed by the publike. It is alsoe agreed that this proportion be onely for this rate, and that there be a way found with all convenient speed for a vallation of the estates of the colony in order to the making of a just proportion, which when found out and determined, each town to be allowed or advanced accordingly; or, if any for the corne or provision part pay that which for price and specie satisfie any souldiers that went in the service, it shall be accepted, and there shall be care taken that the souldiers, English and Indians, be paid by the counties where they lived, or were rayسد, and care taken as much as may be in the whole, to prevent transportation. Farther agreed, that any person that



for the corne part or provision part of this rate will pay money, shall have one sixth part abated.

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Pr order of the Generall Court.

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SAM<sup>l</sup> SPRAGUE, Secretary.

\*October y<sup>e</sup> 2<sup>d</sup>, 1689. Ordered by the Court that the select men of each town take care forthwith to take a vauation of the estates of each town and village, according to the prises hereafter mentioned, viz<sup>t</sup> :—

[\*86.]

	ll	s	d
Every ox, at . . . . .	02	10	0
Every cowe, . . . . .	01	10	0
Every steere & heiffer of 3 year old, . . . . .	01	10	0
Every two year old, at . . . . .	01	00	0
Every yearling, at . . . . .	00	15	0
Every horse & mare, at . . . . .	02	00	0
Every two year old colte, at . . . . .	01	00	0
Every yearling colte, . . . . .	00	10	0
Every swine of a year old & upwards, at . . . . .	00	06	0
Sheep of a year old and upward by y <sup>e</sup> score, . . . . .	05	00	0
Land in tillage, every acre, . . . . .	00	5	0
Meadow and English pasture, every acre, at . . . . .	00	5	0
Vessels and trading estate not more then half price.			

Faculties and personall abillities at will and doome ; the like where any neglect or refuse to give in a just account of their ratable estate.

*Att a Generall Court held for their Ma<sup>ties</sup> at New Plimouth the 25<sup>th</sup> Day of December, 1689.* 25 December.

BEFORE Thomas Hinckley, Esq <sup>r</sup> , Govern <sup>r</sup> ,	John Thacher,
William Bradford, Esq <sup>r</sup> , Deputy Govern <sup>r</sup> ,	John Walley,
John Freeman,	John Cushing, Esq <sup>rs</sup> ,
Daniel Smith,	
Assistants.	

**B**ARNABAS LOTHROP, Esq<sup>r</sup>, absent.  
M<sup>r</sup> John Thacher, M<sup>r</sup> Stephen Skeff, Isaac Cushman, John Goram,  
Silace Sears, John Miller, William Howard, Seth Pope, M<sup>r</sup> Nath<sup>l</sup> Byfield,

1689. Mr John Saffin, fined 20 shillings a peace for not appearing & attending  
 s<sup>d</sup> Court, or disorderly departing therefrom. December 25<sup>th</sup>, 1689. At a  
 25 December. [HINCKLEY, GOVERNOR.] General Court the above said fines remitted, it being the first offence  
 in that kind.

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The Names of the Deputies of the severall Towns that appeared at  
 s<sup>d</sup> Court.

John Bradford,	}	. . . . . of Plimouth.
Isaac Cushman,		
Edward Southworth,	}	. . . . . of Duxbury.
Seth Arnold,		
Cap <sup>t</sup> Joseph Silvester,	}	. . . . . of Scituate.
Sam <sup>l</sup> Clapp,		
Stephen Skeff,	}	. . . . . of Sandwich.
Cap <sup>t</sup> William Bassitt,		
Cap <sup>t</sup> Thomas Leonard,	}	. . . . . of Taunton.
John Hall,		
Samuel Peck,	}	. . . . . of Rehoboth.
Thomas Cooper,		
John Goaram, . . . . .		of Barnstable.
John Miller, . . . . .		of Yarmouth.
Isaac Little,	}	. . . . . of Marshfield.
Nath <sup>l</sup> Winslow,		
Cap <sup>t</sup> Jonathan Sparrow,	}	. . . . . of Eastham.
John Done,		
Cap <sup>t</sup> Thomas Haward,	}	. . . . . of Bridgewater.
William Brett,		
Seth Pope,	}	. . . . . of Dartmouth.
Jonathan Dillano,		
Isaac Howland, . . . . .		of Middleborough.
Mr John Saffin, . . . . .		of Bristol.
Henry Head, . . . . .		of Little Compton.
Thomas Terrey, . . . . .		of Freetowne.
John Robinson, . . . . .		of Succonessett.

[\*87.] \*December 25<sup>th</sup>, 1689. Whereas, by an act of the Generall Court bearing date Octob<sup>r</sup> y<sup>e</sup> 2<sup>d</sup>, 1689, it is ordered that the select men of each town take care forthwith to take a vallation of the estate of each town and village, according to the prises on the other side mentioned.

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And be it farther enacted by this Court and the authority thereof, and it is enacted, that if any person or persons in any town within this colony shall be found either to conceal, or to refuse or neglect to give in, all or any part of his or their rateable estate as aforesaid, forthwith, according to order, to the men chosen to make rates in the respective towns where they live, every such person or persons so concealing, refusing, or neglecting, as aforesaid, being thereof convicted before one or more magistrates, shall pay treble rates for all such estate according to the rule before mentioned, one third part thereof to be paid to the colony, one third part to the informer, and one third part to the town wherein such estate lyeth. And the rateable estate of every town in the colony so computed, according to the method and rules aforesaid, shall by each town be brought to the next Gen<sup>l</sup> Court at Plimouth, that so every town may be justly assesed according to their due proportion throughout the colony.

#### Comission Officers.

Timothy Brookes, captaine; James Cole, lieutenant; Robert Samford, ensigne, for the town of Swansey; aproved by the Generall Court, May 20<sup>th</sup>, 1690, & ordered to be commissioned.

Edward Richmond, captaine; William Southworth, leivt; Robert Browning, ensigne, for Little Compton, then aproved by s<sup>d</sup> Court, & ordered to be commissioned.

Thomas Tabor, captaine; Jonathan Dillano, leivt; James Tripp, ensigne, for the town of Dartmouth; aproved by s<sup>d</sup> Court, and ordered to be commissioned.

\*At their maties Gen<sup>l</sup> Court holden at Plimouth, the 25<sup>th</sup> day of Decemb<sup>r</sup>, 1689. [\*88.]

Wheras, by our many provocations, we, by the just hand of Him who is the wise Disposer of all things, are fallen into perrillous times by reason of the depredations of the French on this countrey, together with the rebellious insurrections and cruel massacres the barbarous heathen, abetted alsoe by the French, whereby great mischief hath already ensued, and much more may be justly feared and expected, — it doth, therefore, much concern us to take some most speedy and effectuell course to defend ourselves by putting the millicia into good order, and making such other provision needfull in such imergencies.

Be it therefore enacted by this Court, &c, that all such as were military officers, and that had beene allowed or comissioned by this Court in or before the year 1686, or that have been orderly chosen and allowed since their

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ma<sup>ties</sup> accession to the throne and the late revolution of the government, and have not received commissions since,—that all such officers and commanders with all possible speede have commissions sent them, empowering them to act in the severall places and commands they were chosen too, or had been allowed in the said commissions, to be sent to the chief commander in each regiment, by them to be delivered to those they are directed too. And if any person shall not accept said commission and take the oath of alleagiance to their ma<sup>ties</sup>, that then the chief officer require the town forthwith to make a new choice according to law, and to make their return to the Gen<sup>l</sup> Court or councill of war, who are hereby authorized to allow and commissionate them or any others that may hereafter be chosen and presented to them in the absence of the Gen<sup>l</sup> Court.

Ordered, that all such towns or villages as shall by this Court, or the commanders of the regiments, be sent to and required to choose officers or officer for the compleating their military company, and shall refuse or neglect the doing thereof and the making the return of their doings above twenty days after they have notice thereof by the person required and appointed for that end, shall for such refusall or neglect be lyable to the fine and forfeiture of fifty pounds for the colonies use; such town, or towns, or village, being convict thereof before a councill of warr, the said sum by such officer as they appoint to be levyed upon one or more of the inhabitants of s<sup>d</sup> town, or towns, or village, as s<sup>d</sup> officer shall be directed by the councill of warr; such persons, upon application to this Court, shall have order to levy such sum or sums, and all meet damages upon the inhabitants and rateable estates belonging to such town, or towns, or village, and if the officer, military or civill, that is sent to give notice to the inhabitants and souldiers to choose any officer or officers as aforesaid, and shall x the speedy doing thereof, shall pay five pound fine, to be paid to the commander of the regiment for the millitary service of the county; such officer being convict thereof at a councill of warr or county Court, and if the fault be in the officer, the commander to send an other order to the same person, or any other, as he shall see cause, who are to performe the same under the penally before mentioned;

[\*89<sup>b</sup>.] \*if the neglect be the towns, then this county Court or the councill of warr to appoint and commissionate officers to such towns and places as are needfull.

Ordered, that the town of Taunton have liberty to be two companies and chuse officers accordingly, provided they can agree to divide by the ground; otherwise, that they forthwith come to an orderly choice for a capt<sup>r</sup> and other officers, if needed, and make a return of their choice to the major of the

regiment, that he may by the first opportunity get them allowed and comissionated.

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John Cushing, Esq<sup>r</sup>, John Hall, Seth Pope, & Henry Head, for their disorderly departing from this Gen<sup>l</sup> Court, fined each of them 20 shillings.

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All released except M<sup>r</sup> Cushing. May 20<sup>th</sup>, 1690.

*\*At a Generall Court holden at Plimouth October y<sup>e</sup> 2<sup>d</sup>, 1689.*

2 October.  
[\*90.]

**O**RDERED by the Court, that the select men of each town take care forthwith to take a valuation of the estate of each town & village according to the prises hereafter mentioned, viz<sup>t</sup> : —

	l	s	d
Every ox or steer of 4 year old & upwards, at . . . . .	2	10	0
Every cow, . . . . .	1	10	0
Every heiffer and steere of three year old, . . . . .	1	10	0
Every two year old, . . . . .	1	0	0
Every yearling, . . . . .	0	15	0
Every horse and mare, . . . . .	2	0	0
Every yearling colt, . . . . .	0	10	0
Every two year old colt, . . . . .	1	0	0
Every swine of a year old and upwards, . . . . .	0	6	0
Sheep of a year old and upward by the score, . . . . .	5	0	0
Land in tillage, every acre, . . . . .	0	5	0
Meadow & English pasture, every acre, at . . . . .	0	5	0

Vessels and trading estate not more than half price; faculties and personall abilities at will and doome, the like where any neglect or refuse to give in a just account of their rateable estate.

*Att their Ma<sup>ties</sup> Generall Court holden att Plimouth the 25<sup>th</sup> Day of December, An<sup>o</sup> Domini 1689.*

25 December.

**A**ND be it farther enacted by this Court and the authority thereof, and it is enacted, that if any person or persons in any town within this colony shall be found either to conceal, or to refuse or neglect to give in, all

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or any part of his or their rateable estate as abovesaid, forthwith, according to order, to the men chosen to make rates in the respective towms where they live, every such person or persons so concealing, refusing, or neglecting as aforesaid, being thereof convicted before one or more magistrates, shall pay treble rates for all such estate, according to the rules above mentioned, one third part thereof to be paid to the colony, one third part to the informer, and one third part thereof to the town wherein such estate lyeth. And the rateable estate of every town in the colony, so computed according to the method and rules aforesaid, shall by each town be brought to the next Generall Court at Plimouth, that so every town may be justly assessed according to their due proportion throughout the colony.

Whereas the towms of Bristoll, Dartmouth, Swansey, and Eastham have refused or neglected to make their rates for the charge of y<sup>e</sup> warr, according to the order of the Generall Court, which we have reason to think hath been occasioned by the insinuations and misinformations of some ill men that are disaffected to the goverment, who have with utmost dilligence been endeavouring to disquiet the minds and disturb the peace of their neighbours, weakning the hands of them that are in authority, the effect whereof would be to render us uncapable to offend our enemies or defend our selves; being willing to believe it hath been neglected for the reasons before mentioned, and [\*91.] \*not out of contempt of authority, and hoping they are convinced of their error, and seeing the necessity of the present warr calls for it, together with the example of all other towms, and sense of duty, will put them upon complying with the orders now directed to them.

Wherefore be it ordered and enacted, that if the rates of any or all of the towms before mentioned be not made and given to the constable or constables of the respective towms before the 15<sup>th</sup> day of January next, such town for such neglect to pay twenty pound fine for the use of the colony, and being convict thereof before a county Court, said sum<sup>m</sup> to be levied on one or more of the inhabitants of such town or towms, and said sum<sup>m</sup> or sum<sup>m</sup>s, upon application to the county Court, with meet damages, to be ordered to be levied on the inhabitants & rateable estate of s<sup>d</sup> town or towms, & if s<sup>d</sup> rates be not made and delivered to the constable or constables by the aforesaid time, then two magistrates to appoint raters in such town as neglects to chuse them; and such raters as shall after this be chosen by the town or appointed by the magistrates are seasonably to attend said service on penalty of five pounds, to be paid for the use of the colony.

Ordered, that such as shall be orderly chosen raters in any town for the making of rates for the cuntry, county, or town, and shall refuse or not

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accept the same, or neglect to make any of s<sup>d</sup> rates in due time, shall pay the sum of five pounds for the use of the town, being convict thereof by a county Court, or two magistrates, and upon his or their refusing or not accepting, the town or towns to choose others in their roome under the like penalty, and soe untill each town have made up their number, and the respective towns to give reasonable satisfaction to their raters from time to time for their making rates.

Ordered, that if any town or village, when orderly required, shall neglect or refuse to chuse raters, or not chuse them seasonably, and being thereof convict before a county Court, shall be lyable to the fine of fifty pounds, which sum<sup>s</sup>, by order of s<sup>d</sup> Court, may be levyed upon any one or more of the inhabitants of such town as the s<sup>d</sup> Court shall direct, who, upon application to s<sup>d</sup> Court, shall have order to levy s<sup>d</sup> sum<sup>s</sup> or sum<sup>s</sup> with all meet damages upon the inhabitants and rateable estate of s<sup>d</sup> town or towns. And if any town or towns refuse or neglect to chuse raters as afores<sup>d</sup>, the county Court or any two magistrates to appoint raters, who are seasonably to make the rates under such penalty as is ordered for those that are chosen by the towns.

Whereas, at the Generall Court of Election in June, 1689, it was ordered by s<sup>d</sup> Court, that the constables in the year 1686 be accountable to the Treasurer for the countrey rates comitted to them to gather before the late change, and that the inhabitants of the severall towns that paid not their rates of s<sup>d</sup> year to the constables pay them, or for neglect they make distress for the same, or so much thereof as is unpaid; which yet, notwithstanding, is neglected to be done, to the damage of such as were to receive their parts thereof, besides the unreasonableness of some being eased or excused from their paying their just dues when others have long since payed their parts thereof, this \*Court doe therefore order, that a warrant be directed from the Treasurer, or other magistrate, to the constables of such respective towns as were constables in the year 1686, forthwith to gather the rates of all such delinquents, and on their or any of their refusing or neglect to pay their parts as aforesaid, that then the said constable of such place call in the assistance of the present constable of such place, to make distress on the goods or estate, or, in defect thereof, the person of such refuser or neglecter as p<sup>r</sup> former law is in that case provided, under the penalty of such old constable his or their payment of the full of such sum<sup>s</sup> due and unpay<sup>d</sup> as aforesaid, to be recovered by suit or distraint on his or their estate by the Treasurer, as is in that case p<sup>r</sup> law provided. And the like order for what is due to the counties and towns respecting county and town rates.

[\*92.]

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John Thacher, }  
 John Walley, } Esq<sup>rs</sup>,  
 M<sup>r</sup> John Saffin,  
 Cap<sup>t</sup> Jonathan Sparrow,  
 M<sup>r</sup> Stephen Skeff, &  
 Leiū Isaac Little,

{ Chosen and appointed by this Court as a  
 co<sup>m</sup>mittee to take and adjust the accounts and  
 charges of the warr relating to the late expedi-  
 tion against the Indians, and to make report  
 thereof to this Court, to the end that souldiers  
 & others concerned may have their wages  
 and dues paid with all convenient speed.

Ordered, that the town councils of each town in the county of Plimouth pay and allow the su<sup>m</sup>s according to the accounts made up and allowed by the co<sup>m</sup>mittee of this Court, and the remainder by them to be secured to pay the debts of the countrey, as the Generall Court or co<sup>m</sup>issioners of the colony shall direct, and that the guns that can not be found be allowed for out of the money part, and that what is due for fitting out souldiers, and other disbursments, and souldiers wages, what remains to be paid, one third in money, the other in such pay and at such prises as the rate is paid in. This rule to be observed throughout the colony, and every constable to pay the same or not worse specie than he receivs.

Ordered by this Court, that such horses as have been improved in the late expedition by any officers or foote souldiers of ours without the order of this Court or a magistrate, the respective owners of s<sup>d</sup> horses may be paid or satisfied by the persons that procured or used them, and not charged to the account of this colony.

It is ordered by this Court, &c, that there be a co<sup>m</sup>mittee chosen in each county to settle the charges of the warr and disbursments in their respective counties, and to adjust the accounts of all officers and souldiers that have been in the service, & to order payment to all officers, souldiers, & other persons that have disbursed for the warr in such ways as may be most suitable & convenient for them, and most advantageous to the colony; in all disbursments, as much as in them lyeth, to go by the same rules to take a speціаль care that all the guns that belong to the publike be either found out & secured for them they pertain too, or else that they be paid for by the souldiers that had them or have imbezzled them. \*And in adjusting and settleing s<sup>d</sup> accounts, as they have oppertunity to inform themselves w<sup>t</sup> they may from the co<sup>m</sup>issioners of the colonies, Major Church & Cap<sup>t</sup> Bassit, and what is left after the souldiers & debts are paid as aforesaid, the remainder to be secured by the severall co<sup>m</sup>ittes for the payment of the countrey debts at Boston, or elsewhere, according to the orders of the Generall Court, or direction of the co<sup>m</sup>issioners of the colony. And that the said co<sup>m</sup>ittes do give in their accounts to y<sup>e</sup> co<sup>m</sup>issioners of the colony with all convenient speed, and by

[\*93.]



them to be presented to the Generall Court, with other accounts and transactions of theirs respecting the warr in time convenient.

Cap <sup>t</sup> John Thacher,	}	Appointed the com <sup>it</sup> tee for y <sup>e</sup> county of Barnstable.
Cap <sup>t</sup> Jonathan Sparrow,		
M <sup>r</sup> John Goram,		
M <sup>r</sup> John Saffin,	}	The com <sup>it</sup> tee for the county of Bristol.
Cap <sup>t</sup> Thomas Leonard,		
M <sup>r</sup> Joseph Church,		

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25 December.  
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Ordered, that the secretary and the chief marshal shall have half their salary, viz<sup>t</sup>, the sec<sup>r</sup> 5<sup>l</sup>, and s<sup>d</sup> marshal 3<sup>l</sup>, paid to them out of the present rate, in such specie as the s<sup>d</sup> rate is to be paid in.

And that 50 shillings, part of the 5<sup>l</sup> allowed to the jail keeper, be forthwith paid to him by the constable of Plimouth out of s<sup>d</sup> rate.

Ordered by this Court, that all such persons in this colony who live or reside out of the bounds of any of our towns shall be under the constablerick of the nearest of our towns whereunto they so live or reside.

The Court have authorized John Willis, Sen<sup>r</sup>, to sum<sup>o</sup>ns witnesses before him, and to administer oaths in the town of Bridgwater, to inform the grand inquest as they shall desire, and as there may be occasion.

Ordered, that Major Church shall have ten pounds allowed him (besides what he hath received from the Bay) more than his wages by the weeke, and that his weekly wages as major in y<sup>e</sup> late expedition be 40 shillings, and that Major Church shall have 5<sup>l</sup> cash, and Cap<sup>t</sup> Bassitt 3<sup>l</sup> cash, part of what is due to them from the colony, paid to them by the constables of Plimouth out of the last rate.

That Leiu<sup>t</sup> William Southworth have 25 shillings p<sup>r</sup> weeke for his service in the warr.

That Cap<sup>t</sup> Edmonds have 20<sup>s</sup> p<sup>r</sup> weeke for his service.

That Leiu<sup>t</sup> Smith have 20<sup>s</sup> p<sup>r</sup> weeke for his service.

That John Stetson have 15<sup>s</sup> p<sup>r</sup> weeke for his service, & being helpfull to y<sup>e</sup> com<sup>is</sup>sary.

That each English serjeant have 12<sup>s</sup> p<sup>r</sup> week; each corporall, 9<sup>s</sup> p<sup>r</sup> weeke; and that Benjamin Bantum, y<sup>e</sup> clerk, have 9<sup>s</sup> p<sup>r</sup> weeke.

That each Indian cap<sup>t</sup> have 12<sup>s</sup>, & each leiu<sup>t</sup> 9<sup>s</sup> p<sup>r</sup> weeke.

And that Cap<sup>t</sup> John Hunter have nine shillings p<sup>r</sup> weeke for his service in the expedition aforesaid.

That Cap<sup>t</sup> Bassitt have 30<sup>s</sup> p<sup>r</sup> weeke as cap<sup>t</sup>, and 5<sup>shill</sup> p<sup>r</sup> weeke for his assistance to the com<sup>is</sup>sary.

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Wheras divers acts & orders have been lately made by the Gen<sup>l</sup> Court prohibiting any person from selling by retail any kind of strong drink without licence, it is therefore now farther ordered, and by this Court declared, that whosoever shall without licence sell & deliver a less quantity, at one time, to any person or persons, than 5 gallons of wine, brandy, rum, or strong liquors, &c, or less than a quarter cask of cyder, every such seller is by law deemed, judged, & accounted a retailer, & as such to be proceeded against as the law directs.

P<sup>r</sup> order of afores<sup>d</sup> Court,

SAM<sup>l</sup> SPRAGUE, Sec<sup>r</sup>.

1690.

20 May.  
[\*94.]

*\*At a Generall Court held at Plimouth, May y<sup>e</sup> 20<sup>th</sup>, 1690.*

**E**NACTED as followeth:—

1. Whereas the weighty concerns of this colony called for and required the present convention of this Court, and for as much as, p<sup>r</sup> former orders and law of this colony, a County Court is to be holden this present day, (being the third Tuesday of s<sup>d</sup> May,) at Bristol, for the county of Bristol, which by reason of this convention can not this day be there held, —

This Court do therefore declare, and it is hereby declared, that the said county Court is adjourned unto Tuesday the 27<sup>th</sup> instant; and all persons concerned, whether parties in any case civil or criminal, witnesses, grand and petty jury men, and constables, are to attend s<sup>d</sup> Court at the adjournment aboves<sup>d</sup>, and all attachments, summonses, process, & proceedings, and all obligations, to be and remain good to said adjournment, as if the ordinary time of s<sup>d</sup> county Court had beene attended, and all sureties to stand obliged for their principals to s<sup>d</sup> time, and to be forthcoming six days after judgment given at s<sup>d</sup> adjournm<sup>t</sup>.

2. Ordered, that the new grand jurors and constables of the severall towns in the county of Plimouth appear before the magistrates of s<sup>d</sup> county, at s<sup>d</sup> county town, on the fourth day of June next, to receive their charge and take the oath usually administered in such case.

3. Ordered, that the words (next after the Court of Election,) in our printed law book, title Constables, page 14<sup>th</sup>, line 5<sup>th</sup> of y<sup>e</sup> first numb<sup>r</sup>, be henceforth readd & construed (next before the Court of Election.)

4. Ordered, that the clerk of the county of Barnstable forthwith send

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warrants to the now constables of the severall towns in s<sup>d</sup> county to warn the new grand jurors & constables of each town to appear at their county town, before the magistrates of s<sup>d</sup> county, at such time as s<sup>d</sup> magistrates shall appoint to receive their charge and take the oath usually administered in such case.

5. Ordered by this Court, that the proprietors and purchasers of lands who held the same in comon shall henceforth have liberty and are impowered to chuse a clerk for s<sup>d</sup> proprietors, who being sworne, his book shall be accounted an authentick record.

6. Whereas there is 16<sup>•</sup> or 18 bushells of wheat, part of the last rate, in the hands of the constables of Scituate, — ordered, that the same be paid to Cap<sup>t</sup> John Jacob, of Hingham, or to whome he shall appoint to receive the same, in consideration of his qūrtering or billeting souldiers for this colony the last year.

7. Ordered, that Major John Walley have ten pounds cash allowed to him at or before June court next, as compensation for his voyage and expence in the colonies behalfe, and service to and at New Yorke, and to be paid to him out of the money in the constables hands of the last rate.

8. Whereas there have been and are several uncomfortable differences in the town of Taunton, respecting their millitary company, especially relating to the officers thereof, and severall ways have been propounded and tryed for the reconciling and healing thereof, all which have proved ineffectuall to accomplish the same, and there having beene severall choices of officers among them, against all which there have been \*objections made as to the leagallity thereof, it is therefore ordered by this Court and y<sup>e</sup> authority thereof, that the souldiers and inhabitants of the town of Taunton meet on the 2<sup>d</sup> day of June next at ten of y<sup>e</sup> clock, the souldiers compleat in their armes, and that they make a choice of military officers according to law, and that their choyce be returned to the next Gen<sup>l</sup> Court, and that the whole company be under the comānd of Leiv<sup>t</sup> Macey as chief, and Ensigne Leonard under the major in the mean time; and M<sup>r</sup> Smith and Major Walley, one or both, are desired to be there to see a fair choice. And this notwithstanding any former act of the General Court, or order of the council of warr. And if there have been any dru<sup>m</sup>s, coulers, or halbets provided by vertue of the order of the council of warr, they being delivered for the towns use, the town to pay for the same.

[\*95.]

Ordered by this Court and the authority thereof, that there by sixty men forthwith rayسد in the colony to be sent by water to Albany, or elſwhere, to joyne with the forces of New Yorke, Massachusetts, or Co<sup>n</sup>ecticut, &c, for the

1690. defence of s<sup>d</sup> places or other service of their ma<sup>ties</sup> against the com<sup>on</sup> enemy ;  
 the men to be rayzed in each town according to the proportions hereafter set  
 down, viz<sup>t</sup> :—

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Plymouth, . . . . .	5	Barnstable, . . . . .	5
Duxborough, . . . . .	3	Sandwich, . . . . .	4
Scituate, . . . . .	6	Yarmouth, . . . . .	4
Marshfield, . . . . .	3	Eastham, . . . . .	4
Bridgewater, . . . . .	3	Rochester, . . . . .	1
Middleborough, . . . . .	1	Monamoy, . . . . .	1
	<hr/>	Succonesset, . . . . .	1
	21		<hr/>
			20

Bristol, . . . . .	3
Taunton, . . . . .	5
Rehoboth, . . . . .	4
Dartmouth, . . . . .	3
Swansey, . . . . .	3
Little Compton, . . . . .	2
Freetowne, . . . . .	1
	<hr/>
	21

Ordered by this Court and the authority thereof, that the proportions of men now agreed on to be rayzed for their ma<sup>ties</sup> service be impressed in the severall towns by warrant under the hands of the town council, or the major part of them, and where there is no town council, by warrant from the select men of such town or towns, or the major part of them, and where there is no town council nor select men, to be impressed by warrant from the major of the regiment : s<sup>d</sup> town councils, select men, or majors are hereby ordered and required to impress, or cause to be impressed, the severall proportions of men upon Wednesday next, and not before, and that the whole be ready on or before the second day of June next to attend such service as then shall be required of them.

Ordered, that the town councils, select men, and majors take care that such as are impressed by their order be each one fitted with a good, well fixt musquet, or other sufficient armes, sword or hatchet, horne or catouch box, and not less than three charges of powder and shot, for each man ; also, that they provide and take care seasonably to send and put on board the vessel provided to cary the souldiers, two pound and half of powder, and 12 pound of suitable bullets for each man sent out, unless otherwise ordered in the

mean time. Alsoe to take care that the powder be sent so as it may not be bruised or otherwise damnified.

\*Ordered, that the town council, select men, or major part of each, or majors of the regiment, are hereby impowered and required by warrant to impress men and horses as may be necessary to cary am̄unition; also at such other things for arming, cloathing, or fitting out each souldier for this present expedition as may be needfull where they cannot otherways be procured.

Ordered, that all constables, serjeants, corporals, or other persons, that the warrants from the town council, select men, & majors are or shall be directed too, in matters they are impowered relating to this present expedition, are hereby required to execute the same, and to be aiding and assisting as there may be occasion.

Ordered, that the town council, all or either of them, endeavour forthwith to p̄cure from the inhabitants of the severall towns so much money as to make up 20 shillings for every man ordered to be sent from each town, and whatsoever any inhabitant shall disburse or lend on that account, or that shall be impressed for fitting out the souldiers, shall be repaid by the countrey, or discounted out of the next rate; said money to be brought to next June Court, to be disposed as s<sup>d</sup> Court shall order.

Ordered, by this Court, that all such as are or shall be impressed for the countreys service against the cōmon enemy, and shall refuse or neglect the service, they are to pay as a fine the sūm of four pounds in money, or for not paying the same by warrant from the town council, select men, or major, which gave the warrants forth, such person or persons to be imprisoned untill the fine be paid, and others to be impressed in their roome, which fines shall by the town council be improved for buying armes & amunition for a stock for the town unles they s̄e cause to dispose any part thereof, for the fitting or encouragement of such as shall be impressed in their stead, unless such person or persons shall appeal to the council of warr, and give security to answer the same, and to abide by their determination.

Ordered, that Major John Walley do impress, or otherways provide a sutable vessel to transport the souldiers if there be occasion, and to impress or hire seamen to sail and navigate said vessel; also to take care that the souldiers be billeted or quartered until they are imbarqued; also, that he provide provision sutable to cary said souldiers to New Yorke or el̄swhere, as may be ordered; s<sup>d</sup> vessel and men to be ready by the 5<sup>th</sup> day of June next; and all constables and other officers are hereby ordered and required to

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[\*96.]

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be aiding and assisting as there may be occasion, and to execute such warrants as they may receive from said John Walley for the performance of what premised.

Ordered, that the constables of Barnstable and Bristol county repair to their severall county towns upon Tuesday next, the 29<sup>th</sup> of this instant May, then and there to make up the accounts of their rates they were to collect for the counties use, with the committees of their severall counties that were appointed by this Court to adjust the accounts of souldiers wages, and other disbursments, and to order payment of the same; also to pay to said committees or order the ballances of their accounts.

[\*97.]

\*And the severall committees are hereby ordered and impowered to meet at the time and place aforesaid to make up the accounts of the several constables, to receive the ballances thereof, and upon full payments orderly made, to give discharges on the countreys behalf, and said committes to sel for money any grain or provision they or y<sup>e</sup> constables have in their hands of the countreys, and what moneys they have or shall have of the countreys to bring in to June Court to be disposed as the Generall Court shall see cause.

Ordered, that the constables of the county of Plimouth that have not made up & ballanced their accounts with the town councils of their respective towns do, at or before the 29<sup>th</sup> of this instant May, doe the same; and such as have or do ballance their accounts by payments orderly made, they are to give discharges to such constables on the countreys behalf: the town council are also to take care that what grain or other provision of the countreys is in theire or the constables hands be forthwith sold for money for the most it will yield; also to take care that what moneys they have or shall have in their hands of the countreys, be brought in at June court next, to be disposed as the General Court shall order.

Whereas Captain Peter Hunt and the rest of the comission officers at Rehoboth have signified to this Court their desire to lay down their places as commission officers, this Court takes the same into consideration, but defers the determination to the next Gen<sup>l</sup> Court that is now at hand, and all officers and souldiers of s<sup>d</sup> town are hereby required and strictly commanded to yield obedience to their officers in the mean time. And whereas this Court hath been informed of malicious speeches and cariages of some of s<sup>d</sup> company at a late training, this Court doth require the comānder of the regiment to bind over the principal of s<sup>d</sup> offenders to answer for the same at the next council of warr of which their shall be notice, unless they give sufficient and publique

satisfaction in the mean time to the major of the regiment & comission officers of the company.

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p<sup>r</sup> order of the General Court,

SAM<sup>l</sup> SPRAGUE, Secretary.

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\*An Account of the Wolves kild in the severall Towns in the last and this year, viz<sup>t</sup>.

[\*98.]

John Hathaway, of Dartmouth, . . . . .	one
James Warren, of Plimouth, . . . . .	one
John Bryant, Jun <sup>r</sup> , of Plimouth, . . . . .	one
Isaack King, of Plimouth, . . . . .	one
William Shirliff, of Plimouth, . . . . .	one
John Russel, of Duxborough, . . . . .	one
Henry Hodges, of Taunton, . . . . .	one
{ Joseph Leonard, of Taunton, . . . . .	one
{ killed by an Indian.	
Richard Stephens, of Taunton, . . . . .	one
Thomas Briggs, Sen <sup>r</sup> , of Taunton, . . . . .	one
Nicholas White, Jun <sup>r</sup> , of Taunton, . . . . .	one
Joseph Dogget, of Rehoboth, . . . . .	one
‡Jacob, Indian, about Rehoboth, . . . . ‡	
{ William Carpenter, of Rehoboth, . . . . .	one
{ kild by an Indian.	

\*In answer to the petition of Humphery Johnson now presented to this Gen<sup>l</sup> Court, s<sup>d</sup> Court adjudge it improper for them to concern themselves w<sup>th</sup> the matters contained in said petition, but that if the petitioner find himself agreed he may seek redress at such Court as hath proper cognizance of such matters or causes.

[\*99.]

Cap <sup>t</sup> Nath <sup>l</sup> Thomas,	}	chosen Associates for the county of Plimouth.
Leiv <sup>t</sup> Ephraim Morton,		
Cap <sup>t</sup> Thomas Howard,		
Cap <sup>t</sup> Jonathan Sparrow,	}	for y <sup>e</sup> county of Barnstable.
M <sup>r</sup> Stephen Skeff,		
M <sup>r</sup> George Macey,	}	for the county of Bristol.
M <sup>r</sup> Joseph Church,		
Cap <sup>t</sup> Seth Pope,		





Ephraim Little,  
 Hopestill Besbey,  
 John Cushing, Jun<sup>r</sup>,  
 Robert Whitcombe,  
 Elisha Turner,  
 John Simons,  
 Japheth Turner,

John Haward,  
 Sam<sup>l</sup> Washbourn,  
 John Murdo,  
 John Dotey,  
 John Sturtevant,  
 Nath<sup>l</sup> Southworth.

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\*New Plimouth, April y<sup>e</sup> 2<sup>d</sup>, 1690.

[\*102.]

By the President & Council of War.

Ordered, that a watch be forthwith kept and maintained in every town & village of this colony of so many persons as the town council in each town or village shall appoint.

And that in such towns where the said town council shall judge it needfull, princplely and especially in all sea port towns & places, that some persons be appointed to ward in the day time as s<sup>d</sup> council shall direct.

Ordered, that the comission officers of every millitary company in this colony cause a speedy search to be made in their severall respective towns, to see and know how persons are provided w<sup>th</sup> armes and am̄nition & to proceed in that matter as y<sup>e</sup> law directs.

Ordered, that upon any suddaine exigence, or assault of an enemy upon any of the towns or plantations of this colony, that the chief millitary officer or officers of the adjacent town or towns, without delay, taking with him or them such part of his or their company as he or they shall judge needfull, with the advice of his town council, where it may seasonably be had; and repaire to the place assaulted to the speedy relief of such assaulted or distressed place.

In order to a present settlement of the militia of the town of Taunton, and for composing the uncomfortable differences that have been and yet continue there, — in respect to their chief millitary officers it is ordered by this council, that M<sup>r</sup> George Macey is approved, allowed to be, and sustaine, the office of a captaine in said towne, and such souldiers of s<sup>d</sup> towne as desire the same forthwith to list themselves under his command and be obedient to him as their captain.

M<sup>r</sup> Thomas Leonard is likewise approved of p<sup>r</sup> this council, and allowed to be & sustaine the office of a captaine in said towne, & such souldiers as desire the same forthwith to list themselves under his command, & be obedient to him as their captaine.

And every of the souldiers of s<sup>d</sup> towne or place are hereby ordered and

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2 April.  
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required forthwith to list themselves under the command of one of s<sup>d</sup> captaines; and being listed as aforesaid, the s<sup>d</sup> company, with such of the aged inhabitants or others of s<sup>d</sup> town, who by law are allowed to chuse officers, are hereby allowed & have liberty to choose officers under their s<sup>d</sup> captains in their respective companies, and so to continue untill the Generall Court or councill of warr shall otherwise order, and that coullers, drums, and halberts for each company be provided & paid for by all the rateable inhabitants of said town.

[\*103.] \*And the councill advise the said captains not to call both companies together for ordinary traynings on one day, but to appoint their days of trayning at distinct times or days.

Ordered, that the town councill and select men of the town of Plimouth, with all convenient speed, cause cariages to be made for the great guns in s<sup>d</sup> town, and that all s<sup>d</sup> guns be speedily mounted or put on said cariages, and brought into the towne, & planted where they may be most serviceable, advantageous, & convenient for the anoyance of an enemy & defence of the towne.

p<sup>r</sup> order of s<sup>d</sup> councill,

SAM<sup>l</sup> SPRAGUE, Secretary.

20 May.

New Plimouth, May 20<sup>th</sup>, 1690. Voted by the Generall Court, that half y<sup>e</sup> charge thereof be borne by the colony, & y<sup>e</sup> other half by the town.

John Hamond approved of p<sup>r</sup> the council to be leiv<sup>t</sup> of the millitary company of y<sup>e</sup> town of Rochester, & Joseph Dotey, ensigne.

By the councill of war at Plimouth, Octob<sup>r</sup> y<sup>e</sup> 9<sup>th</sup>, 1690. Thomas Tomson, of Middleborough, being (p<sup>r</sup> order of the major part of the town councill of s<sup>d</sup> Middleborough) impressed for the service of their mat<sup>ies</sup> at Canada, and refusing to attend that service, is sentenced to pay a fine of four pounds in money to said town councill for the use of s<sup>d</sup> town, or be imprisoned till the same be paid, with fees, &c.

James Soul, of Middleborough, for the same, is sentenced as above-said.

By the councill of war at Plimouth, Novemb<sup>r</sup> y<sup>e</sup> 6<sup>th</sup>, 1690. Joseph Halley, Jun<sup>r</sup>, of Sandwich, being, p<sup>r</sup> order of the town councill of s<sup>d</sup> Sandwich, impressed for the service of their mat<sup>ies</sup> against y<sup>e</sup> Indian enemy eastward, & in regard of his ill deportment after pressed, & not appearing at the time & place appointed, is sentenced to pay a fine of 4 pound

money. But in regard it appears to this councill that he was not well when the souldiers were to march, the councill remit half s<sup>d</sup> fine, ordering that he pay to the town councill, for y<sup>e</sup> use of said town, y<sup>e</sup> sum<sup>m</sup> of 40<sup>s</sup> in money, & fees, &c.

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Febr 11<sup>th</sup>, 1690. Voted, that y<sup>e</sup> county Court order y<sup>e</sup> payment for laying out y<sup>e</sup> highway through Middleborough, &c.

This Court adjourn to Tuesday, 3<sup>d</sup> of March next.

Attest, SAM<sup>l</sup> SPRAGUE, Sec<sup>r</sup>.

*\*At y<sup>e</sup> Generall Court of Election held at Plymouth June 3<sup>d</sup>, 1690.*

3 June.  
[\*104.]

**T**HOMAS HINCKLEY, ESQ<sup>R</sup>, was chosen Gov<sup>r</sup>, & sworn.

Will<sup>m</sup> Bradford, Esq<sup>r</sup>, D: Gov<sup>r</sup>, & sworne.

John Freeman,	}	Esq <sup>rs</sup> . Sworne all but Major Freeman.
Daniel Smith,		
Barnabas Lothrop,		
John Thacher,		
John Walley, &		
John Cushing,		

were chosen Asistants.

Thomas Hinckley, Esq<sup>r</sup>, & Majore Walley, chosen Commissioners.

M<sup>r</sup> Smith the next in nomination.

William Bradford, Esq<sup>r</sup>, chosen Treasurer.

Sam<sup>l</sup> Sprague, chosen Secretary, & sworne.

Were admitted Freemen.

Edmond Freeman,	}	. . . . . of Eastham.
John Paine,		
Nicholas Snow, and		
Joshua Hopkins,		
M <sup>r</sup> Rowland Cotton,	}	. . . . . of Sandwich.
Sam <sup>l</sup> Prence,		
John Perrey,		

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Uriah Leonard,	}	. . . . . of Taunton.
John Tisdall,		
Peter Blackman,	}	. . . . . of Rochester.
John Hamond,		
Moses Barlow,		
Sam <sup>l</sup> Sturtevant,		
Sam <sup>l</sup> Fuller,	}	. . . . . of Plimouth.
John Murdo,		
Ephraim Cole,		
Thō Clarke,		
Robert Bartlett,		
Sam <sup>l</sup> Packer, . . . . .		

## The Names of the Deputies of the severall Towns.

John Bradford,	}	. . . . . for Plimouth.
Isaac Cushman,		
John Wadsworth,	}	. . . . . for Duxbury.
David Alden,		
Cap <sup>t</sup> Joseph Silvester,	}	. . . . . for Scituate.
Sam <sup>l</sup> Clapp,		
M <sup>r</sup> Stephen Skeff,	}	. . . . . for Sandwich.
Sheirjashub Bourne,		
Cap <sup>t</sup> Thomas Leonard,	}	. . . . . for Taunton.
William Harvey,		
Christopher Sanders,	}	. . . . . for Rehoboth.
Gilbert Brookes,		
Cap <sup>t</sup> Joseph Lothrop,	}	. . . . . for Barnstable.
John Goram,		
John Miller,	}	. . . . . for Yarmouth.
Leiv <sup>t</sup> Silas Seares,		
Cap <sup>t</sup> Nath <sup>l</sup> Thomas,	}	. . . . . for Marshfield.
Leiv <sup>t</sup> Isaac Little,		
Cap <sup>t</sup> Jonathan Sparrow,	}	. . . . . for Eastham.
Thomas Paine,		
William Brett, . . . . .	for Bridgwater.	
Cap <sup>t</sup> Seth Pope, . . . . .	for Dartmouth.	
Isaac Howland, . . . . .	for Middlebury.	
Leiv <sup>t</sup> James Cole,	}	. . . . . for Swansea.
Thomas Wood,		

Mr Stephen Burton, }  
 Jabiz Howland, } . . . . . for Bristol.  
 Mr Joseph Church, . . . . . for Little Compton.  
 Samuel Gardiner, . . . . . for Freetowne.  
 Aaron Barlow, . . . . . for Rochester.  
 John Robinson, . . . . . for Succonesset.

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\*The Names of the Select Men of y<sup>e</sup> severall Towns in y<sup>e</sup> Colony.

[\*105.]

Plymouth, . . . . . {  
 Leiv<sup>t</sup> E. Morton,  
 Serj: W. Harlow,  
 Thō Faunce.  
 Scituate, . . . . . {  
 Jeremiah Hatch,  
 Thō King, Jun<sup>r</sup>,  
 Israel Chittenden.  
 Duxbury, . . . . . {  
 Benj: Bartlet,  
 John Trasey, Sen<sup>r</sup>,  
 John Wadsworth.  
 Sandwich, . . . . . {  
 M<sup>r</sup> Skeff,  
 Shirjashub Bourne,  
 Will<sup>m</sup> Basset.  
 Barnstable, . . . . . {  
 Cap<sup>t</sup> Lothrop,  
 Leiv<sup>t</sup> Howland,  
 Leiv<sup>t</sup> Lewes.  
 Taunton, . . . . . {  
 William Harvey,  
 Cap<sup>t</sup> Leonard,  
 Nath<sup>n</sup> Williams,  
 Henry Hodges,  
 James Leonard, Jun<sup>r</sup>.  
 Yarmouth, . . . . . {  
 John Miller,  
 Silas Seares,  
 Jeremiah Howes.  
 Rehoboth, . . . . . {  
 Leiv<sup>t</sup> Nicholas Peck,  
 Thō Cooper,  
 M<sup>r</sup> Christō Sanders,  
 John Fitch,  
 Jonathan Fuller.  
 Marshfield, . . . . . {  
 Ephraim Little,  
 John Foster,  
 Joseph Waterman.

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Bridgewater, . . . . .	{ Capt Thō Hayward, Leivt John Hayward, Mr John Willis, John Field, John King x
Bristol, . . . . .	{ Mr Stephen Burton, Jabiz Howland, John Rogers.
Eastham, . . . . .	{ Thomas Pain, Senr, Mark Snow, John Done, Senr, Jabiz Snow, Benj: Higgins.
Dartmouth, . . . . .	{ Thō Taber, Jonathan Dillano, Joseph Trip.
Swansey, . . . . .	^
Middlebury, . . . . .	{ Joseph Vaghan, Ebenezer Tinkam, Obadiah Eedey.
Freetown, . . . . .	{ Thō Terry, Saml Gardiner, Saml Howland.
Little Compton, . . . . .	{ Capt Ed Richmond, Henry Head, D: W:
Rochester, . . . . .	{ Aaron Barlow, Saml Hamōnd, Saml White.
Succoneset, . . . . .	

Barnabas Lothrop, Esq<sup>r</sup>, } Appointed a comittee to receive and take  
John Walley, Esq<sup>r</sup>, and } account of the late comittees of y<sup>e</sup> counties of  
Capt Nath<sup>l</sup> Thomas, } Barnstable and Bristoll, and of y<sup>e</sup> town coun-  
cills or constables in each towne of y<sup>e</sup> county of Plimouth respecting y<sup>e</sup>  
money & provision rayسد for payment of souldiers & charge of y<sup>e</sup> war in  
y<sup>e</sup> last rate.

Barnabas Lothrop, Esq<sup>r</sup>, John Walley, Esq<sup>r</sup>, Capt Thomas Leonard,  
Capt Joseph Lothrop, & Leivt Isaac Little, appointed a comittee to receive

& take the account of the estates of the severall towns & villages in this colony, in order to a just proportioning of the severall towns, in order to the last rate and for future rates, & to make report to this Court for approbation.

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[\*106.]

\*Cap<sup>t</sup> Nath<sup>n</sup> Thomas,  
Leiv<sup>t</sup> Ephraim Morton,  
Cap<sup>t</sup> Thomas Haward, } chosen Associates for the county of Plimouth.

M<sup>r</sup> George Macey,  
M<sup>r</sup> Joseph Church, } chosen Associates for the county of Bristol.

Cap<sup>t</sup> Seth Pope,  
Cap<sup>t</sup> Jonathan Sparrow,  
M<sup>r</sup> Stephen Skeff, } chosen Associates for the county of Barnstable.

Barnabas Lothrop, } Esq<sup>rs</sup>, } Are appointed a com<sup>it</sup>tee to receive  
John Walley, } and take account of the late com<sup>it</sup>tees  
and Cap<sup>t</sup> Nath<sup>n</sup> Thomas, } of the counties of Barnstable and Bristoll,  
and of the town councils or constables in each town of the county of Plimouth, respecting the money & provision rayzed for payment of souldiers & charge of the warr in the last rate.

Barnabas Lothrop, } Esq<sup>rs</sup>, } Are appointed a com<sup>it</sup>tee to receive  
John Walley, } and take the account of the estate of the  
Cap<sup>t</sup> Thomas Leonard, } severall towns and villages in this colony,  
Cap<sup>t</sup> Joseph Lothrop, } in order to a just proportioning of the  
and Liv<sup>t</sup> Isaac Little, } severall towns, in order to the last rate  
and for future rates, and to make report to this Court for approbation & confirmation.

In answer to the petition of Humphery Johnson, now presented to this Gen<sup>l</sup> Court, s<sup>d</sup> Court adjudge it improper for them to concern themselves with the matters contained in said petition, but that if the petitioner find himself agreede he may seeke redress at such Court as hath proper cognizance of such matters or causes.

June 7<sup>th</sup>, 1690. In answer to the remonstrance of Major William Bradford, Esq<sup>r</sup>, making claime to right of soyle and unto the priviledges and royaltyes of Cape Codd, and what is els expressed and contained in the deed from the councill of Plimouth, etc, —

This Court resolve that they are in the possession and have good and lawfull title unto all the said soyle, priviledges, and royalties mentioned in the said deed, other than what hath beene granted and reserved heretofore to particular psons and townships according to the laws of this colony; yet, nevertheless, if any p<sup>t</sup>icular psons or townships for the farther confirmation

1690. or strengthening of their titles, sē cause to take deeds of release from the said Major Bradford, they have their liberty so to doe.

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of this page of  
the original are  
lost.]

That whereas there are divers persons come into this colony and settled themselves upon the lands belonging to this colony at Cape Codd without leave or order so to do, and do there continue, cutting down the wood there reserved for the benifit of such as shall be admitted orderly to come thither to fish, and doing other damages to this colony, as well as live in a disorderly mañer there, — this Court do therefore order the county Treasurer forthwith to cause said people so coming and living at or upon the countrey x x x x be prosecuted for s<sup>d</sup> trespas and remo x x x x also to lett and dispose the ca x x x x the publique and to x x x x account.

Ordered by this Court that x x x x comission officers of the x x x x here desire of being freed x x x x order that x x x x company x x x x shall be x x x x x x x x.

[\*107.]

\*And the now comission officers are required to continue in their s<sup>d</sup> offices, and act according to their comissions untill others shall be comissionated in their stead as afores<sup>d</sup>, and s<sup>d</sup> company to continue their obedience to them as formerly.

7 June.

Memorandum : An agreement between the Generall Court held here at Plimouth this 7<sup>th</sup> of June, 1690, and Major William Bradford, Esq<sup>r</sup>, for the issuing all contests, demands, suits, and debates, whatsoever, between the s<sup>d</sup> Gen<sup>n</sup> Court or colony and the said major respecting his claime or demands of any interest, right, or title-to any lands heretofore bought of the Indians for the countrey lying at the cape, with all priviledges and royalties thereto belonging, or that may arise and accrue on or by the same, and also to any of the lands sold by the order of the said Generall Court to any persons whatsoever, viz<sup>t</sup>, that the said Major Bradford shall be allowed and paid by the said Generall Court, or their order, the sum of fifty and five pounds of money. And the said Major William Bradford shall and will signe, seal, and deliver sufficient leagall releases and confirmation of all the said lands, royalties, and appurtenances thereunto belonging, unto the said Generall Court, or their order, and to such others to whome the said lands, or any of them do belong and appertaine.

The above written agreement was voted by the s<sup>d</sup> Generall Court on the day of the date thereof, and owned and approved by said Court on behalf of the colony. And the abovenamed William Bradford, Esq<sup>r</sup>, coming personally into the Court the day aboves<sup>d</sup>, did on his part owne and acknowledge the said agreem<sup>t</sup>.

Attest,

SAM<sup>l</sup> SPRAGUE, Secretary.





1690.

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at Duxborough, or 12½ bushels of wheat at Plimouth, for the remaīer of his sallirey the last year.

June 5<sup>th</sup>, 1690. Money received from the constables and councils of the severall towns of the arrearcs of the last rate : —

	ll	s	d
From Middleborough constables, . . . . .	10	2	0
From Bridgwater, town councill, . . . . .	3	0	0
From Duxborough, . . . . .	2	15	0
From Yarmouth, . . . . .	0	15	8
From Monamoy, . . . . .	1	1	0
From Eastham, . . . . .	1	7	0
From Marshfield, . . . . .	2	18	4

The money borrowed and advanced on the severall towns to fitt out the souldiers for Albany & brought to this Court : —

	ll	s	d
From Eastham, p <sup>r</sup> Cap <sup>t</sup> Sparrow, . . . . .	3	19	0
From Middleborough, by Isaac Howland, . . . . .	0	10	0
From Bridgwater, by William Brett, . . . . .	2	17	0

Whe<sup>r</sup>as there was a co<sup>m</sup>ittee, and after that the countrey Treasurer was ordered to take in the accounts of former officers relating to any monies or other estate of the countrey or counties in their hands, but nothing as yet done by either relating thereto, —

It is therefore ordered by this Court, that each county Treasurer, with all convenient speed, require the sherriffs, county Treasurers that was for each county, or constables of each town, that were in the year 1686, 1687, 1688, to give in their accounts of what they have in their hands belonging to the King or county; and upon makeing up and ballancing s<sup>d</sup> accounts, the present county Treasurers, or either of them, are to give them discharges, and upon their refusing or neglecting to give in their accounts, and paying the ballance, they, and either of them, are impowered, in the countreys behalf, to sue such persons, or any of them, and to do all that in law is proper for the receiving, recovering, & obtaining of the same, excepting at present the matters of the rates ordered to be gathered by the constables for the country in the time of S<sup>r</sup> Edmond Andros.

[\*109.]

\*Whereas there is a law in our printed booke, that all debts shall be paid in specie, according to contract, yet, notwithstanding the said law, where judgment hath been given in Court for debt, and damage, and costs, in money, the marshall or constable, to whome writt of execution hath been directed, hath oftentimes taken goods and cattel, to the great damage of the

parties to whome money was due & contracted for, — for prevention whereof this Court doth order, that it shall be in the liberty of every person for whome judgment shall be given for money, to have a writt of execution directed to the constable or marshall, to levy the same, either on the estate or on the person to be comitted to prison till money be paid accordingly, at the choice of the plaintiff.

1690.

5 June.

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Whereas there is a law provided, that all persons that had contracted debts before the session of that Court when s<sup>d</sup> law was made should sue or bring his action for the same in thre years, or be for ever barred his action, if the debt due either by book or accompt, but there having been an interruption by the alteration of goverment that the time may be expired, and many have not received their just right, —

This Court doth therefore order, that any that have contracted any debt, which is now due either by book or account, shall have liberty to sue, or bring his action for the same, any time within twelve months next ensuing, any order or law of this Court to the contrary notwithstanding.

Ordered, that in Plimouth county there be three Associates, or county magistrates — one at Plimouth, one at Marshfield, and one at Bridgewater.

And that in the county of Barnstable their be two Associates, or county magistrates — one at Sandwich, & one at Eastham.

And that in the county of Bristoll there be three Associates, or county magistrates — one at Taunton, one at Little Compton, and one at Dartmouth.

Ordered by this Court, that after this year the Associates, or county magistrates, be chosen by the freemen of the severall counties.

Cap<sup>t</sup> Nath<sup>l</sup> Thomas, Liev<sup>t</sup> Ephraim Morton, Cap<sup>t</sup> Thomas Haward, chosen Associates, or county magistrates, this present year, for the county of Plimouth.

M<sup>r</sup> Stephen Skeff, Cap<sup>t</sup> Jonathan Sparrow, chosen Associates, or county magistrates, this present year, for the county of Barnstable.

M<sup>r</sup> George Macey, M<sup>r</sup> Joseph Church, Cap<sup>t</sup> Seth Pope, chosen Associates, or county magistrates, this present year, for the county of Bristoll.

Ordered, that the severall Associates, or county magistrates, meet at their severall county towns, to be sworne, at such time as they shall be warned by order from the magistrates of the severall counties. At which time they are to hear and determine according to law any criminals, and do any other thing within the power of a county Court except trying of actions. And the magistrates to take care that all criminals be warned × × ently obliged to appear and answer for their crimes respectively.

1690.

5 June.  
 [HINCKLEY,  
 GOVERNOR.]  
 PART II.  
 [\*110.]

\*Ordered, that every of s<sup>d</sup> Associates, or county magistrates, have the power of a magistrate within their respective counties.

Having had information from the Hon<sup>ble</sup> Simon Bradstreet, Gov<sup>r</sup> of the Massachusetts, in the name of the councill, of their present expedition to Canady and places adjacent, and of their raying considerable forces for the service of their maties against the comon enemy in those parts, they having also signified that they desire and expect somewhat from this and the other government, this Court having considered thereof, in compliance therewith, have concluded to raise and send forth 200 souldiers, if need be, of English and Indians, to joyne with the Massachusetts and other confederated forces for their maties service as afores<sup>d</sup>; and that there may be sutable care timely to impress, supply, and send forth our souldiers.

It is ordered by this Court and the authority thereof, that Major Walley forthw<sup>th</sup> go to Boston, to enquire the time the souldiers should be ready, the encouragem<sup>t</sup> and termes they propose to such as go, to know who is the comānder in chief, to see whether we can be furnished with provision and amūnition upon such termes as we are capable, to propose and offer any thing to the gentlemen concerned that is necessary in the colonies behalf, & to make such propositions at Boston as are necessary; having thus informed himself, he is, by the messenger that is herewith ordered to go with him, with all speed to give information to the Gov<sup>r</sup> and Major Bradford, who are forthwith to take care that order be sent to the severall towns, that the proportion of men for each town now agreed on be impressed or otherwayes provided, and that the town councils take care that each souldier be armed, cloathed, and otherways fitted with what is needfull, and to be ready with all speed, or as they shall be directed, for their march and imbarquing as there may be occasion; s<sup>d</sup> souldiers to be impressed and supplied by such persons and in such a way as was ordered in the raying of the last sixty men as by s<sup>d</sup> Court order farther may appear.

Ordered, that each county Treasurer take care to receive of the severall constables of the county, or town counsils, what money they have of the counties; also, to receive the severall suñs of money promised by the severall persons of their counties; also, if there be any wheat or other pay of the countreies, if they have oppertunity to send it to Boston with speed, or otherwise to sell it for the most they can get, the severall suñ to be rayed by the order of the last Gen<sup>l</sup> Court for fitting out the souldiers then rayed be also paid in to the severall Treasurers.

Ordered, that the deputies of each town forthwith use their utmost endeavours, w<sup>th</sup> such of their neighbours they judge are able, to procure for

the colonies vse what they are willing to lend, and that the same, with what is already promised, be forthwith sent in to the county Treasurer.

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It is hereby ordered and enacted, that whatever money advanced, or what is given to the colony for the fitting and furnishing of the souldiers for war, or what may be impressed orderly for this present service, it shall be paid out of the rates that shall be next made.

Resolved, p<sup>r</sup> the Gen<sup>l</sup> Court, to raise 200 men,  $\frac{1}{4}$  of them Indians, for the expedition to Canady, if our comissioners, on conference with the other  $\times \times \times$  less number, and to fitt them out with victualls, provision, and other necessaries, for the said expedition.

\*Ordered, that for this present expedition for Canady, or places adjacent, that the souldiers already impressed be made up, the proportions for each town, as is hereafter set down.

[\*111.]

Armes.		Men.	Armes.		Men.
4	viz <sup>t</sup> , Plimouth, . . . .	13	4	Barnstable, . . . . .	12
2	Duxborough, . . . . .	7	3	Sandwich, . . . . .	10
2	Marshfield, . . . . .	7	3	Yarmouth, . . . . .	10
5	Scituate, . . . . .	16	3	Eastham, . . . . .	10
2	Bridgwater, . . . . .	8	1	Succonessett, . . . . .	2
1	Middleborough, . . . . .	3	1	Manamoy, . . . . .	2
			1	Rochester, . . . . .	2
<hr/>			<hr/>		
16		54	16		48

Armes.		Men.
2	Bristol, . . . . .	6
3	Swansey, . . . . .	7
2	Little Compton, . . . . .	4
3	Dartmouth, . . . . .	8
4	Taunton, . . . . .	14
3	Rehoboth, . . . . .	10
1	Freetown, . . . . .	2
<hr/>		<hr/>
18		51

Ordered by this Court, that in this present expedition there be rayseed fifty Indians, 22 in the county of Barnstable, 22 in the county of Bristol, and six in the county of Plimouth. If such do not present as are to the satisfaction of one or more of the magistrates of the county, or the comānder of the company, that then, by warrant from a magistrate, such be impressed as are most fitt. And that Plimouth county take care to provide armes and

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other necessaries for eightene men, Barnstable county for fiteene men, and Bristol county for seventeene men.

Ordered, that the town councills take care for watchings, wardings, and scoutings, in each town, and that one third of the souldiers at a time come armed to meeting every Sabath day untill farther order, on penalty of two shillings fine for each orderly warned that neglects the same.

Ordered, that if there be occasion for the commissioners of the colony to meet with agents or comissioners from the other colonies and governments, our said comissioners are hereby impowered to meet, treat, agree, and conclude upon any designe, and other things that relate to the same with the rest, that they judge may be for the service of their maties and the comon good and safty of the countrey, they always taking care not to engage us in any charge that hath been allready contracted, wherein we were not consulted with or concerned in what they may agree to, to take care as much as they can y<sup>t</sup> we are not beyond a just proportion either in men or charge.

The officers and souldiers now to be rayسد to march at such time and rendevouse at such places as they shall receive orders from one or both of the comissioners of the colony, one or both of which are hereby impowered to grant warrants, to impress vessels, men, armes, amūnition, or any other thing needed, and can be procured within the colony for this present expedition.

Ordered, that the money that is left of the last rate, the money that was or that has been rayسد for fitting out of the last 60 men, the money that is × × × × by particular men, or what more may be procured of the severall × × [\*112.] (if) the designes go on, be delivered to Major Walley × × × \*and other necessaries for the present expedition, and what there is short of, and is by him procured on the countreys account, shall [be paid out of] our next rate, and s<sup>d</sup> major to give an account to the next [General] Court of the money that shall be comitted to him, or any debt [due] on the countreys behalf.

Ordered by this Court, that all persons able to bear armes upon × attend the same under the comānd of the officers of the severall [towns on] penalty of 5<sup>l</sup>, and that all housholders, by themselves or others meet [personally in] their stead, attend watching and warding when warned, on penalty of three shillings for each neglect, unles excused by the town councill.

Ordered, that if the officers now appointed for this expedition either do not accept or are prevented by the hand of God, or any should otherwise be wanting, that the Govern<sup>r</sup>, with the consent of two magistrates, appoint and comissionate others, as there may be need.

Ordered, &c, that the persons which shall be appointed press masters to

impress souldiers for their ma<sup>tes</sup> service shall have full power to impress any men appointed to be impressed for the town, which he or they shall be press masters for in any town in this colony.

Cap<sup>t</sup> Joseph Silvester, M<sup>r</sup> John Goram, chosen for captains for the present expedition.

Jabiz Snow, Sam<sup>l</sup> Gallop, leiftenants ; Preserved Abel, or John Butterworth, Sam<sup>l</sup> Lucos, ensignes.

Ordered by this Court, that the magistrates & deputies of the county of Plimouth forthwith make choice of a county Treasurer for s<sup>d</sup> county for this present year.

Barnabas Lothrop, Esq <sup>r</sup> , Cap <sup>t</sup> Nath <sup>l</sup> Thomas, Cap <sup>t</sup> Jonathan Sparrow, and Leiv <sup>t</sup> Isaac Little,	}	or any three of them, are appointed a committee to take, receive, and adjust the accounts of the late countrey Treasurer.
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Ordered by this Court, that 50<sup>l</sup>d excise be this following year advanced and rayسد upon the publique houses of entertainment and persons that shall be licenced to sell strong drink in this colony ; that is to say, 20<sup>l</sup>d in the county of Plimouth, 13<sup>l</sup>d in the county of Barnstable, and 17<sup>l</sup>d in the county of Bristol.

November 4<sup>th</sup>, 1690. The persons appointed by the Court to inspect and view the whales, pursuant to the Court order, on the other side mentioned, for their severall respective towns, are as followeth : for Plimouth, Thomas Faunce ; for Sandwich, M<sup>r</sup> Stephen Skeff ; for Barnstable, Cap<sup>t</sup> Joseph Lothrop ; for Yarmouth, Cap<sup>t</sup> x x ; for Eastham, Major John Freeman ; for Monamoy, William Nickarson ; [for Succonessett,] Jonathan Hatch, Sen<sup>r</sup> ; for Duxborough, John Wadsworth ; for x x, x ; for Scituate, Sam<sup>l</sup> Clapp.

4 November.

\*Rateable estate of the severall towns accepted by the Generall Court for to proportion the rates for the past & this present year, 1690. [\*113.]

Plimouth County.		Barnstable County.	
	l <sup>d</sup>		l <sup>d</sup>
Plimouth, . . . . .	2260	Barnstable, . . . . .	3000
Scituate, . . . . .	4360	Yarmouth, . . . . .	2777
Marshfield, . . . . .	1804	Sandwich, . . . . .	2500
Duxborough, . . . . .	1500	Eastham, . . . . .	2506
Bridgewater, . . . . .	1430	Rochester, . . . . .	0367
Middleborough, . . . . .	0582	Monamoy, . . . . .	0505
		Succonessett, . . . . .	0405

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Bristol County.

	<sup>li</sup>
Bristol, . . . . .	1049
Taunton, . . . . .	2689
Rehoboth, . . . . .	2117
Dartmouth, . . . . .	2200
Swansey, . . . . .	1500
Little Compton, . . . . .	2000
Freetown, . . . . .	0349

*At a Generall Court holden at Plimouth November 4<sup>th</sup>, 1690.*

BEFORE Thomas Hinckley, Esq<sup>r</sup>, Govern<sup>r</sup>, Daniel Smith, and  
William Bradford, Esq<sup>r</sup>, Dep<sup>t</sup> Gov<sup>r</sup>, John Thacher, Esq<sup>rs</sup>,  
John Freeman,  
Assistants.

With the Deputies of the severall towns before named in this booke, most of them being present in Court.

**O**RDERED, that for the prevention of contests and suits by whale killers, —

1. This Court doth order, that all whales killed or wounded by any man & left at sea, s<sup>d</sup> whale killers that killed or wounded s<sup>d</sup> whale shall presently repaire to some prudent person whome the Court shall appoint, and there give in the wounds of s<sup>d</sup> whale, the time & place when & where killed or wounded; and s<sup>d</sup> person so appointed shall presently comitt it to record, and his record shall be allowed good testimony in law.

2. That all whales brought or cast on shore shall be viewed by the person so appointed, or his deputy, before they are cut or any way defaced after come or brought on shore, and s<sup>d</sup> viewer shall take a particular record of the wounds of s<sup>d</sup> whale, & time & place where & when brought on shore; & his record shall be good testimony in law, and s<sup>d</sup> viewer shall take care for securing s<sup>d</sup> fish for the owner.

3. That whatever person or persons shall cut up or deface any whale fish, by cutting, stabbing, or launcing, after come on shore or at sea, if a drift, unless of necessity to tow it to shore, before it hath been viewed by the person appointed thereto, and a record taken by him, shall lose their right to



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said fish, & pay a fine of ten pounds to the county. And s<sup>d</sup> viewers shall seize s<sup>d</sup> fish for the owners use, or the effects thereof, and s<sup>d</sup> viewer shall have power to make a deputy or deputies under his hand, and to have six shillings for [each] whale so viewed & recorded of the owners thereof.

4. That whosoever finds, takes, or cuts up any drift whale found on the stream, a mile from the shore, not appearing to be killed by any man, shall be the x first sieze and secure them, paying an hogshead of oyle to y<sup>e</sup> county for every such whale.

Sē the names of the viewers on the other side this leaf.

Cap<sup>t</sup> Nathaniel Thomas, [Leiv<sup>t</sup>] Isaac Little, x x are appointed a comittee to take & adjust the accounts of what the colony is indebted to particular [persons] for mony lent, or other debts of the colony, x x x x x to y<sup>e</sup> making a rate, for the speedy x x the same.

\*Resolved and agreed on by the Generall Court, that 1350 pounds be forthwith raised, p<sup>r</sup> rate, upon all the rateable inhabitants of the colony, for the payment of all known debts of the colony relating to the present war, and otherways, excepting the charges about armes for y<sup>e</sup> expedition to Canada. [\*111.]

The one half of s<sup>d</sup> sum<sup>m</sup> to be paid in money, the other half in wheat at 4<sup>s</sup> p<sup>r</sup> bushel, barly at 2<sup>s</sup>, rye at 2<sup>s</sup> 9<sup>d</sup>, Indian corne at 2<sup>s</sup> 6<sup>d</sup> p<sup>r</sup> bushell, porke at 45 shillings p<sup>r</sup> barrell, bief<sup>e</sup> at 28 shillings p<sup>r</sup> barrell, butter in firkin or pott at 6<sup>d</sup> p<sup>r</sup> pound, in less quantity by pound 5<sup>d</sup>; all s<sup>d</sup> grain & provisions to be good & merchantable.

The Court order, that 50<sup>s</sup> be paid by the proprietors of lands formerly granted M<sup>r</sup> Hatherley at or near Accord Pond, viz<sup>t</sup>, the three mile square, towards y<sup>e</sup> payment of the s<sup>d</sup> sum<sup>m</sup>; and that three pounds be paid by the proprietors of the lands above Weymouth, viz<sup>t</sup>, y<sup>e</sup> lands called Foords Farms and parts adjacent.

The Court allow to the Govern<sup>r</sup> 24 pound for his extraordinary charges upon the colonies busines in comission & otherways, for this & y<sup>e</sup> last year, 14<sup>ld</sup> 16<sup>s</sup> whereof is already paid to him, and the residue, which is 9<sup>ld</sup> 4<sup>s</sup>, is to be paid to him out of this rate.

The Court allow to Leiv<sup>t</sup> Little for his trouble & charge in receiving and delivering the loan money for Canada expedition, &c, the sum<sup>m</sup> of 40 shillings, to be paid out of this rate.

This Court order, that the Govern<sup>r</sup>, Assistants, Secretary, and Chief Marshall shall have one third part of what is allowed and due to each of them, paid in money.

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Barnabas Lothrop, Esq <sup>r</sup> , M <sup>r</sup> Stephen Skeff, and Cap <sup>t</sup> William Bassett, John Cushing, Esq <sup>r</sup> , Leiv <sup>t</sup> Isaac Little, and Sam <sup>l</sup> Sprague, Daniel Smith, Esq <sup>r</sup> , Cap <sup>t</sup> Thomas Leonard, and Sam <sup>l</sup> Gardiner,	} } }	Are appointed a co <sup>m</sup> itte for the county of Barnstable.  Are appointed a co <sup>m</sup> itte for the county of Plimouth.  Are appointed a co <sup>m</sup> itte for the county of Bristol.
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The s<sup>d</sup> co<sup>m</sup>ittees of each county are appointed to meet at their severall county towns upon the third Tuesday of this instant November, then and there to receive and prepare the accounts of the severall persons to whome the colony is indebted ; which being performed, the whole co<sup>m</sup>ittees, viz<sup>t</sup>, all the persons above named, are to meet at Plimouth on the first Tuesday of December next, who are hereby inpowerd to adjust and allow all such accounts of souldiers and others as to them shall seeme just and reasonable, and to order bills to the severall county Treasurers for the payment of y<sup>e</sup> same to such as y<sup>e</sup> colony is indebted unto.

And the said county Treasurers are hereby inpowerd to require & receive the said severall su<sup>m</sup>s that shall be levyed & raysed upon the towns in their respective counties of the severall constables who shall colect and gather the same, and upon receipt thereof to give acquittances & other discharges to s<sup>d</sup> constables.

The Court allow to each of s<sup>d</sup> co<sup>m</sup>itte 3<sup>s</sup> p<sup>r</sup> day for what time they shall necessarily be employed in the colonies concerns as aboves<sup>d</sup>.

The Court give and allow to M<sup>r</sup> Sam<sup>l</sup> Arnold the su<sup>m</sup> of twenty shillings.

The Court allow 4<sup>d</sup> p<sup>r</sup> meal to those that billeted souldiers.

[\*115.]

\*The proportion of each town & village in the colony towards the afores<sup>d</sup> su<sup>m</sup> of 1350 pounds is as followeth : —

	l <sup>d</sup> s d		l <sup>d</sup> s d
Plimouth, . . . .	84 : 15 : 0	Barnstable, . . . .	112 : 10 : 0
Scituate, . . . .	163 : 10 : 0	Yarmouth, . . . .	104 : 02 : 9
Marshfield, . . . .	67 : 13 : 0	Sandwich, . . . .	93 : 15 : 0
Duxbury, . . . .	56 : 05 : 0	Eastham, . . . .	93 : 19 : 6
Bridgwater, . . . .	57 : 07 : 6	Rochester, . . . .	13 : 15 : 0
Middleborough, . .	21 : 16 : 6	Monamoy, . . . .	18 : 18 : 9
		Succonessett, . . .	15 : 3 : 9
	451 : 7 : 0		452 : 4 : 9

	l <sup>d</sup>	s	d
Bristol, . . . . .	39	: 6	: 9
Taunton, . . . . .	100	: 16	: 9
Rehoboth, . . . . .	.79	: .7	: 9
Dartmouth, . . . . .	.82	: 10	: .
Swansey, . . . . .	.56	: .5	: .
Little Compton, . . . . .	.75	: . .	: .
Freetowne, . . . . .	.13	: .1	: 9
	446 : 8 : 0		

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Cap<sup>t</sup> Nath<sup>l</sup> Thomas appointed in y<sup>e</sup> county of Plimouth to receive & take care for conveyance of the contribution proposed for the relief of y<sup>e</sup> town of Wells & parts adjacent.

Cap<sup>t</sup> Joseph Lothrop, y<sup>e</sup> like for the y<sup>e</sup> county of Barnstable.  
& Major Benjamin Church for y<sup>e</sup> county of Bristol.

The Court apoint the 26<sup>th</sup> instant to be kept and observed as a publick day of thanksgiving throughout y<sup>e</sup> colony.

\*At a Generall Court held at Plimouth the first Thursday of December, 1690. [\*116.]

BEFORE Thomas Hinckley, Esq<sup>r</sup>, Govern<sup>r</sup>, and John Thacher, Esq<sup>r</sup>,  
William Bradford, Esq<sup>r</sup>, Deputy Govern<sup>r</sup>, Assistant.

Most of the Deputies next before named being present.

**R**ESOLVED p<sup>r</sup> this Generall Court to add to the rate agreed on by the last Generall Court the sum<sup>m</sup> of 1350 pound for the payment of our souldiers in the late expeditions to Canada & eastward, to be also forthwith rayzed by rate upon all the rateable estate and inhabitants of this colony; the same to be paid in porke, biefe, butter, and corne, at the prises agred on by the last Gen<sup>l</sup> Court, or in cattell at money value, to be appraised by persons indifferently chosen by the parties that are to pay & receive the same, unless they shall agree of the price betweene themselves, and that the severall towns in this colony that were over rated y<sup>e</sup> last year have so much deducted out of their now rate.

And that our souldiers wages, both eastward & at Canada expeditions, be paid alike in provisions or cattel.

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Agreed on by the Generall Court, that what plunder was obtained by our souldiers, late under the conduct of Major Benjamin Church, in y<sup>e</sup> last expedition eastward, shall equally belong to y<sup>e</sup> English and Indian souldiers.

Barnabas Lothrop, Esquire, John Walley, Esq <sup>r</sup> , Cap <sup>t</sup> Thomas Leonard, Cap <sup>t</sup> William Bassett, Leiv <sup>t</sup> Isaac Little, M <sup>r</sup> John Bradford, and Samuel Sprague,	}	Are apointed and chosen a comittee for this colony, and are hereby impowered to receive, take, and adjust the accounts of souldiers, and all other persons to whome the colony is indebted, and s <sup>d</sup> comittee are ordered to meet at Plimouth on the first Tuesday of January next; and they or any three of them, (viz <sup>t</sup> ;) one of each county meeting, are impowered to act in refference to the premisses, and to direct and order bills for payment of souldiers & others, y <sup>t</sup> y <sup>e</sup> colony is indebted unto, and have power to adjourn their meeting from time to time, as there may be occasion.
---	---	---

The s<sup>d</sup> comittee, meeting at Plimouth y<sup>e</sup> day & time aboves<sup>d</sup>, have adjourned to Tuesday, y<sup>e</sup> 20<sup>th</sup> of the same month.

January y<sup>e</sup> 9<sup>th</sup>, 1690. The aboves<sup>d</sup> comittee are by order of y<sup>e</sup> Gen<sup>l</sup> Court at Plimouth, Feb<sup>r</sup> 11<sup>th</sup>, 1690, are continued with the same power to meet and adjourn as aboves<sup>d</sup>.

The second Wednesday of January next is appointed by the Court to be kept & observed as a publique day of humiliation & fast throughout y<sup>e</sup> colony.

1690-1. \*At their Ma<sup>ties</sup> Gen<sup>l</sup> Court held at Plimouth the 11<sup>th</sup> of February,

1690.

11 February.

[\*117.]

BEFORE Thomas Hinckley, Esq<sup>r</sup>, Gov<sup>r</sup>,  
 William Bradford, Esq<sup>r</sup>, Dep<sup>t</sup> Gov<sup>r</sup>,  
 Daniel Smith,  
 Barnabas Lothrop,

John Thacher,  
 John Walley,  
 John Cushing, Esq<sup>rs</sup>,

Assistants.

With y<sup>e</sup> Deputies before mentioned in this booke, most of them present.

THE s<sup>d</sup> Court graunt liberty to the inhabitants of the vilage of Monamoy to chuse and send a deputy to the Generall Courts that shall hereafter be in this colony.

The towns of Yarmouth & Little Compton, & inhabitants of the vil-  
age of Monamoy, complaining to this Court that they are wronged in the  
proportioning of the severall towns towards the payment of y<sup>e</sup> present rate,  
the Court, considering y<sup>e</sup> premisses, remit to each of said towns the su<sup>m</sup> of  
ten pounds, and to s<sup>d</sup> village the su<sup>m</sup> of five pound, to be deducted out of  
their su<sup>m</sup>s ordered by the last Generall Courts to be raysed by rate.

In answer to the petition presented to this Court by Cap<sup>t</sup> John Jacob in  
behalf of himself and partners, the proprietors of the lands formerly granted  
to M<sup>r</sup> Hatherly at Accord Pond, he, s<sup>d</sup> Jacob, alleaging that s<sup>d</sup> proprietors  
make no improvement of s<sup>d</sup> land, but y<sup>t</sup> it lyeth dormate, and prays that they  
may not be rated or assessed in this colony to *to* the present levy; the Court  
graunt his desires therein, and remit the su<sup>m</sup> of fifty shillings, ordered by the  
last Gen<sup>l</sup> Court to be paid p<sup>r</sup> s<sup>d</sup> proprietors.

The island called Mackatoy is annexed to y<sup>e</sup> township of Dartmouth, p<sup>r</sup>  
order of this Court.

And the lands between Bridgwater & Waymouth, called Foords Farms,  
& y<sup>e</sup> parts adjacent, are hereby put under y<sup>e</sup> constable rick of Bridgwater,  
till this Court shall otherwise order.

Ordered by this Court, that whereas there hath been a jury appointed for  
laying out an high way from or through y<sup>e</sup> township of Middleborough  
towards the bay, that the payment of s<sup>d</sup> jury is referred to y<sup>e</sup> order of Plim-  
outh county Court.

At y<sup>e</sup> county Court held at Barnstable, October 15<sup>th</sup>, 1689, Samuel  
Hammond, Samuel White, Aaron Barlow, and John Wing, all of Rochester,  
took y<sup>e</sup> oath of a freeman.

Attest, JOSEPH LOTHROP, Clerk.

Entered, p<sup>r</sup> SPRAGUE, Secretary.

1690-1.

11 February.  
[HINCKLEY,  
GOVERNOR.]  
PART II.

*At a County Court held at Barnstable, by Order of y<sup>e</sup> Gen<sup>l</sup> Court,*  
*June 24<sup>th</sup>, 1690.*

1690.

24 June.

**T**HESSE men under named took y<sup>e</sup> oath of a freeman:—  
Israel Cole, Samuel Freeman, Jun<sup>r</sup>, Thomas Smith, John Paine,  
Isaac Pepper, Jonathan Higgins, Jun<sup>r</sup>, Sam<sup>l</sup> Smith, Sen<sup>r</sup>, Samuel Mayo, Sen<sup>r</sup>,  
Nathanael Mayo, all of Eastham; Jesper Taylor, Sam<sup>l</sup> Howes, & Joseph  
Hull, of Yarmouth; William Nickerson, Hugh Stuert, William Michel, &

1690. Nicholas Eldred, of Monamoy; Jonathan Hatch, Sen<sup>r</sup>, Moses Rowley, John  
Genkins, John Weeks, Jonathan Hatch, Jun<sup>r</sup>.

24 June.  
[HINCKLEY,  
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p<sup>r</sup> JOSEPH LOTHROP,

Clerk of y<sup>e</sup> County Court of Barnstable.

Entered, p<sup>r</sup> SPRAGUE, Secretary.

[\*118.] \*Whereas there was complaint made that some of the warrants that went out for calling the two last Gen<sup>l</sup> Courts did not come seasonably to some of the towns, by reason whereof divers of the magistrates & deputies had not timely notice to attend said Courts, and for as much as at s<sup>d</sup> Courts it was agreed that, for defraying the debts of the colony, there should be rayسد the sum of 2700 pounds, in such proportion and specie as by record of s<sup>d</sup> Courts may appear, making such allowance to some particular towns, as was to make good former orders of this Court, — there being now a Gen<sup>l</sup> Court assembled and legally warned as p<sup>r</sup> return of the several constables have been made to appear, — it is now agreed & ordered by this Court and y<sup>e</sup> authority thereof, that the said sum of 2700<sup>l</sup>, be forthwith rayسد according to the proportions & species agreed on by s<sup>d</sup> Courts, as p<sup>r</sup> s<sup>d</sup> records, reference thereto being had, may appear.

Whereas severall towns have neglected to choose raters, or several disputes & differences have hapened by reason of some choice made in particular in the towns of Scituate, Bristol, Swansea, Little Compton, Dartmouth, Rochester, or any other towns that have neglected the same, it is therefore ordered by this Court and the authority thereof, that the constable or constables of each of these towns forthwith warn the inhabitants of their severall towns to meet and choose their raters for each town, which raters are required forthwith to make the rates of their severall towns according to the proportions ordered by the said Courts, on the penalty as the law requires, & deliver the same with all speed to the constables of y<sup>e</sup> several towns to collect, who are to doe the same forthwith, demanding the same in such specie and at such prises as s<sup>d</sup> Courts hath ordered, and are to deliver or pay the same to such as the comitte of y<sup>e</sup> colony or county Treasurer shall appoint; and if any person shall neglect or refuse to pay their proportion, the constable is hereby required to distrain for the same according to law. And where any refuse to pay or shew to the constable the value of their rates in specie, as is ordered by s<sup>d</sup> Courts, he shall levy the same on their persons and carry them to the county gaol, there to remain untill they have paid the same and necessary charges.

And it is hereby ordered, that if any town neglect to choose raters above the space of fourteen days, or raters chosen refuse the same, raters shall be

appointed by any two magistrates of the county, who are hereby impowered & required to make the same, on penalty as p<sup>r</sup> law provided.

And the constable at each town to call for the votes of their raters, and to give notice to the persons chosen, & make a return of what is done in the premisses, with all speed, to the next magistrate, y<sup>t</sup> he may take farther order therein as shall be necessary.

\*This Gen<sup>l</sup> Court having information from England that the colony of Plimouth had been joynd to the government of New Yorke, but the same was prevented by the Reverend M<sup>r</sup> Mather, who gave an accompt to Govern<sup>r</sup> Selater how little service it would be to their ma<sup>t</sup>ies, and how great dissatisfaction & inconvenience it would be to the people; we are also informed that after that we were like to be annexed to Boston, but the same hindered by M<sup>r</sup> Wiswall for the present; being also informed there is a possibilitie that we may obtain a charter for our selves if we speedily address to their ma<sup>t</sup>ies employ a suitable person to manage & rayse sufficient moneys to ca<sup>r</sup>y the same an end; this Court thinking it their duty to informe the several inhabitants in the severall towns in this colony thereof, that they may not hereafter say they had no notice, and that they may make use of the present oppertunity as they may s<sup>e</sup> it like to be for their benifit,—it is therefore ordered, that the magistrates or deputies in each town forthwith order the constables to warn the inhabitants of the towns to assemble, and give notice to them of the occasion, and that they there have the information above mentioned, that they may consider thereof, and draw up their minds therein, and that the same be signified to y<sup>e</sup> adjournment of this Court; and in particular that it be known whether it be their minds we should sit still & fall into the hands of those that can catch us, without using means to procure that which may be for our good, or prevent that which may be our inconvenience, or if they will act, then to know what instruments they would improve, and what money they can rayse; and must also know that if a pattent can be procured, it will not take up less than 500<sup>l</sup> sterling, which will take nere 700<sup>l</sup> of our money.

This Gen<sup>l</sup> Court adjourns to Tuesday, the 3<sup>d</sup> of March next.

1690.

24 June.

[HINCKLEY,  
GOVERNOR.]

PART II.

[\* 119.]

*At the Adjournment of the afores<sup>d</sup> Gen<sup>l</sup> Court at Plimouth, March* 1690-1.  
*y<sup>e</sup> 3<sup>d</sup>, 16<sup>90</sup>.*

3 March.

CAP<sup>t</sup> JOHN WILLIAMS appearing as a deputy for y<sup>e</sup> town of Scituate, in the roome of Cap<sup>t</sup> Joseph Silvester, deceased, and making it appear

1690-1. to s<sup>d</sup> Court that he was chosen by s<sup>d</sup> town, and declaring his acceptance, this Court accept and own him as a member thereof.

3 March.  
[HINCKLEY,  
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Ordered by this Court, y<sup>t</sup> for this present year the constables of the severall towns in the county of Plimouth continue as such till the next Election Court, according to former usage, and that y<sup>e</sup> constables and grand jurors for the following year be chosen before s<sup>d</sup> Court, and warned to appear at Plimouth before the magistrates of s<sup>d</sup> county, on the first Wednesday of June next, to take oath and receive their charge; any law of this colony to y<sup>e</sup> contrary notwithstanding.

[\*120.]

\*It is ordered and agreed, that the honour<sup>d</sup> Gov<sup>r</sup>, in behalf of the colony, return their hearty thanks to the Honorable S<sup>r</sup> Henry Ashurst, & the Reverend M<sup>r</sup> Increase Mather, & y<sup>e</sup> Reverend M<sup>r</sup> Ichabod Wiswall, for their care & service for y<sup>e</sup> good of this colony. And thō the colony labour under many inconveniences, being small in number, low in estate, & great publique charges, by reason whereof are not capable to manifest their thankfulness sutable to the obligations that we have and may be layed under, yet doe desire the Hon<sup>l</sup>able S<sup>r</sup> Henry Ashurst to accept 50 guineas, and the Reverend M<sup>r</sup> Mather & M<sup>r</sup> Wiswall 25<sup>l</sup> a peece, and to desire & impower the Hon<sup>l</sup>able S<sup>r</sup> Henry Ashurst that he would be pleased to use his care & endeavour to procure a charter from the King for a distinct govern<sup>mt</sup> for this colony, w<sup>th</sup> such regulations & enlargements as his majesty shall be pleased to graunt, and to send such power and instructions as are necessary; and that S<sup>r</sup> Henry be pleased to advise with s<sup>d</sup> M<sup>r</sup> Mather & M<sup>r</sup> Wiswall as he hath oppertunity and seeth cause in any thing that may relate to us, and that the said M<sup>r</sup> Mather and M<sup>r</sup> Wiswall be wrote unto, to give such informations to S<sup>r</sup> Henry as they think may be any ways advantageous for us.

And in particular that we may be sufficiently impowered & required to sē that the gospel be preached in the severall towns, & that care be taken for the maintainance of them that dispence the same.

It is alsoe ordered, that 100<sup>l</sup> sterling, besides, be sent unto S<sup>r</sup> Henry Ashurst, towards the charge of procuring a charter as aforesaid, & if he shall find it is like to be obtained, that he would please to informe us thereof, and w<sup>t</sup> is like to be the farther charge, that we may take care therein as may be necessary.

Agred on by this Court, that the Govern<sup>r</sup>, in behalf of the colony, send an address to their ma<sup>ties</sup> for a new charter for govern<sup>mt</sup>; and that the Gov<sup>r</sup> send to S<sup>r</sup> Henry Ashurst a copy of our charter, and such other letters & papers as may be of use, and such other informations as may be necessary.

Ordered by the Court, & c<sup>o</sup>, that whatsoever town or p<sup>t</sup>icular p<sup>ns</sup> shall



adventure to disburse any moneys for or towards the procuring us a patent from their ma<sup>ties</sup> for this colony, according to this Courts address, ordered to be made to their said ma<sup>ties</sup> for the enjoyment of our ancient civill & religious liberties, shall be reimbursed the same according to a just and equall proportion thereof, if God please to favour us to be in a due capacity for the same.

1690-1.

3 March.  
[HINCKLEY,  
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It is ordered by this Court, that what monies hath been or shall be obtained, by any of the deputies or others, towards the procuring of a patent, be paid unto the Govern<sup>r</sup> & Major Walley, or their order. And the deputies of each town, with all possible speed, are to procure in their severall towns what monies they can for the end aforesaid, and that the same be brought & paid in at Plimouth, at or before the 17<sup>th</sup> instant; and they are desired with said money to procure good bills of exchange, for 200<sup>li</sup>, currant money of England, and if no bills to be gotten of good drawers, then to send either the money or plate, if to be had on better termes, and the same to be done so as to be sent to England with all possible speed, to be disposed according to the order of this Court; but if upon good information they find that other merchandize will be more advantageous, that then they may lay out the money therein, according to their best discretion.

\*Whereas it was enacted by the Gen<sup>l</sup> Court at Plimouth, y<sup>e</sup> 25<sup>th</sup> day of December last past, that such persons as should orderly be chosen raters in any town of this colony, & shall not accept the same, or neglect or refuse to make such rates as in said order mentioned, shall pay a fine of five pounds to the use of the town whereto they belong. [\*121.]

Wherefore it is now farther ordered, that the one moiety of s<sup>d</sup> fine shall be paid to the select men of such town for y<sup>e</sup> use of the poore there, & the other moiety to the raters that shall be next chosen & shall make the s<sup>d</sup> rates.

In answer to the petition of the inhabitants of Monamoy for enlargement of the bounds of their constablerick, it is granted by this Court that the constablerick of the village of Monamoy shall extend from the head of the Muddy Cove along the cart way to the Herring River, which is the bounds between s<sup>d</sup> Monamoy and Yarmouth and Eastham for the present, till the Court see cause to alter it, onely the rates already made to be paid to the constables of Yarmouth; & they have power to collect & gather y<sup>e</sup> same notwithstanding s<sup>d</sup> graunt.

This Court allow & grant to y<sup>e</sup> Gov<sup>r</sup> and Maj<sup>r</sup> Walley the sum<sup>m</sup> of 5<sup>li</sup> cash, to bear their charge & expences to Boston in order to their sending to England relating to a charter for this gove<sup>r</sup>ment.

Whereas complaint is made by sundry Indians that were souldier in y<sup>e</sup>

1690-1.

3 March.  
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last expedition eastward, that they are wronged in not being allowed an equal part of y<sup>e</sup> plunder then taken, as p<sup>r</sup> Court order is allowed them, —

This Court graunt liberty to any & every of s<sup>d</sup> Indians that find themselves agreed, that by reason of their poverty they shall be admitted to sue in forma pauperis for the same, before a magistrate or select Court, as they shall s<sup>e</sup> cause.

The third Wednesday of Aprill next appointed by the Court to be kept & observed throughout this colony as a publique day of fast, &c.

1691.

2 June.

June 2<sup>d</sup>, 1691. Account brought into Court at Plymouth of sundry wolvcs killed in y<sup>e</sup> colony, p<sup>r</sup> the severall p<sup>ns</sup>ons under written.

Bridgewater, . . . . .	{	Edward Michel, one killed by an Indian.
	{	One killed by Sam Musseria, Indian.
	{	Isaac Alden, one.
Rehoboth, . . . . .	{	John Kallender, one kild by an Indian cald
	{	Joseph.
	{	By Indian Joseph, two.
	{	Serj: Thomas Read, one.
Duxborow, . . . . .	{	James Thomas, one.
Swansey, . . . . .	{	Sam <sup>l</sup> Bowen, one.
Taunton, . . . . .	{	Daniel Briggs, one.
	{	Thomas Briggs, one.
	{	M <sup>r</sup> Giles Gilbert, one.
	{	Thomas Briggs, Sen <sup>r</sup> , one.
	{	Richard Stephens, 4.
	{	Joseph White, 2.

2 June.  
[\* 122.]

\* June 2<sup>d</sup>, 1691. *At their Maties Generall Court of Election held at Plimouth, [June 2, 1691.]*

BEFORE Thomas Hinckley, Esquire, Gov <sup>r</sup> ,	John Thacher,
Will <sup>m</sup> Bradford, Esq <sup>r</sup> , Dep <sup>t</sup> Gov <sup>r</sup> ,	John Walley, &
Daniell Smith,	John Cushing, Esq <sup>rs</sup> ,
[Barnabas Lothrop,]	
Assistants.	

THESE underwritten were admitted freemen, &c.  
Edward Richmond, . . . . . of Taunton.  
John Holbrooke, . . . . . of Scituate.

Stephen Bryant, . . . . .	of Plymouth.
Abiel Wood, . . . . .	of Middleborough.
Gershom Hall, . . . . .	of Monamoyet.
Constant Freeman,	} . . . . . of Eastham.
Edward Bangs,	
John Jones, Jun <sup>r</sup> ,	} . . . . . of Marshfield.
Ebenezer Spooner,	
Samuel Baker,	} . . . . . of Barnstable.
& Jonathan Crocker,	

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The Deputies for the severall Towns returned, &c.

John Bradford,	} . . . . . for Plymouth.
Isaac Cushman,	
John Wadsworth,	} . . . . . for Duxborough.
Edward Southworth,	
Sam <sup>l</sup> Clapp,	} . . . . . for Scituate.
Benjamin Stetson,	
Cap <sup>t</sup> Thō Tupper,	} . . . . . for Sandwich.
Elisha Bourne,	
John Hall,	} . . . . . for Taunton.
John Hathaway,	
Mr Christopher Sanders, absent.	
John Woodcock, . . . . .	for Rehoboth.
Cap <sup>t</sup> John Goram, . . . . .	for Barnstable.
John Miller,	} . . . . . for Yarmouth.
Silas Seares,	
Cap <sup>t</sup> Nath <sup>l</sup> Thomas, . . . . .	} . . . . . for Marshfield.
Leiv <sup>t</sup> Isaac Little, absent,	
Cap <sup>t</sup> Jonathau Sparrow,	} . . . . . for Eastham.
Thomas Pain, Jun <sup>r</sup> ,	
Josiah Edson, . . . . .	for Bridgwater.
Isaac Howland, . . . . .	for Middleborough.
Mr. Jn <sup>o</sup> Saffin, absent,	} . . . . . for Bristoll.
William Throope,	
Simon Rouse, . . . . .	for Little Compton.
Aaron Barlow, . . . . .	for Rochester, absent.
John Robinson, . . . . .	for Succonessett.
Gershom Hall, . . . . .	for Monamoyet.

No deputies appearing for the towns of Dartmouth, Swansey, Little [Compton,] and Freetowne.

1691.

Names of y<sup>e</sup> Select Men of y<sup>e</sup> several Towns.

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Plimf, . . . . .	{	Serjeant Will <sup>m</sup> Harlow, Nath <sup>l</sup> Southworth, Thomas Faunce.
Duxborow, . . . . .	{	Benjamin Bartlet, Sen <sup>r</sup> , Lev <sup>t</sup> John Tracey, Ensigne Francis Barker.
Scituate, . . . . .	{	Sam <sup>l</sup> Clapp, Nath Tilden, Thomas Genkens.
Sandwich, . . . . .	{	^ ^ ^ ^
Taunton, . . . . .	{	^ ^ ^ ^
Rehoboth, . . . . .	{	Liv <sup>t</sup> Nicholas Peck, M <sup>r</sup> Christop <sup>r</sup> Sanders, Jonathan Fuller, Serj: Thomas Read, William Carpenter.
Barnstable, . . . . .	{	^ ^ ^ ^
Yarmouth, . . . . .	{	^ ^ ^ ^
Marshfield, . . . . .	{	^ ^ ^ ^

[\*123.] \*Thomas Hinckley, Esq<sup>r</sup>, chosen Gov<sup>r</sup>,  
William Bradford, Esq<sup>r</sup>, chosen Dep<sup>t</sup> Gov<sup>r</sup>, } and sworne.

John Freeman, Daniel Smith, Barnabas Lothrop, John Thacher, John Walley, John Cushing,	} Esq <sup>r</sup> s, chosen Assistants and sworne, all but Major Freeman, since sworn p <sup>r</sup> y <sup>e</sup> Gov <sup>r</sup> at Barnstable.
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Thomas Hinckley, } Esq<sup>r</sup>s, chosen Comissioners,  
and John Walley, }

& Daniel Smith, Esq<sup>r</sup>, y<sup>e</sup> next in nomination.

Samuel Sprague chosen Secretary, & sworne.

S<sup>e</sup> y<sup>e</sup> names of Select Men & Deputies on y<sup>e</sup> other side of this leafe.

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Ordered by the Gen<sup>l</sup> Court, that the towns of Swansey, Freetown, Dartmouth, and Little Compton, be speedily sent unto to choose their deputies for each town, to be ready to attend the Gen<sup>l</sup> Courts that shall or may be in this present year, and also that each of s<sup>d</sup> towns send their agent to y<sup>e</sup> next Gen<sup>l</sup> Court to shew cause why they sent not their deputy or deputies to this present Court according to Court order, and why the fine should not be exacted of them.

Ordered, that all such persons as have killed any wolf or wolves in this colony since y<sup>e</sup> government of S<sup>r</sup> Edmond Andros, and are not yet paid for y<sup>e</sup> same according to Court order, shall be paid for the same out of the next rate that shall be here made, &c.

Ordered, that a watch be forthwith kept and maintained in each town & vilage of this colony, untill y<sup>e</sup> first day of October next, consisting of so many persons in each town as the town council shall order.

And that a ward be set in y<sup>e</sup> day time in such places & towns as said counsell shall judge it needfull.

Ordered, that y<sup>e</sup> comi<sup>ttee</sup> of this colony that were lately chosen and ordered to take & adjust y<sup>e</sup> accounts of souldiers and others, to whome y<sup>e</sup> colony is indebted, meet at the town of Bristoll on Tuesday y<sup>e</sup> 16<sup>th</sup> instant, in order to perfecting s<sup>d</sup> accompts & ordering payment, &c.

Ordered by this Court, that whereas William Ingraham, John Butterworth, & Obadiah Bowen were by two of our magistrates lately appointed and ordered to make a rate in y<sup>e</sup> town of Swansey, for payment of souldiers & others to whome y<sup>e</sup> colony is indebted, and whereas this Court is given to understand that little progress hath hitherto been made by s<sup>d</sup> raters in that worke, this Court have therefore added to and joy<sup>ned</sup> with them M<sup>r</sup> Nicholas Tanner and William Haward, x x hereby order & require all s<sup>d</sup> persons to attend s<sup>d</sup> worke and spx x x x according to y<sup>e</sup> Gov<sup>rs</sup> warrant, lately directed to the x x x x to y<sup>e</sup> premisses, on penalty as p<sup>r</sup> law provided.

\*Whereas it was agreed and ordered by y<sup>e</sup> Generall Court sitting at Plimouth, the 4<sup>th</sup> Novemb<sup>r</sup>, and first Thursday of Decemb<sup>r</sup> last past, that there should be 2700 pounds ray<sup>s</sup>ed for their ma<sup>ties</sup> service, towards defraying the publick charges, and paying y<sup>e</sup> debts of y<sup>e</sup> colony, as p<sup>r</sup> s<sup>d</sup> Court order may appear,—in pursuance whereof, y<sup>e</sup> rates were ordered to be made in y<sup>e</sup> several towns, and to be comi<sup>t</sup>ted to y<sup>e</sup> severall constables to colect and gather, severall whereof have not done or perfected the same x do account their year is out, and that they are not capable to x therein. For the better enabling and impowering y<sup>e</sup> s<sup>d</sup> constables to collect and receive y<sup>e</sup> rates

[\*124.]

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y<sup>e</sup> yet remain unpaid, it is ordered by this Court, y<sup>t</sup> y<sup>e</sup> constables in y<sup>e</sup> severall towns for this last year, to whome y<sup>e</sup> rates have bin<sup>o</sup>r shall be comitted, shall have allowed them untill the last of July next, to gather in & colect the same, or soe much thereof as remains unpaid; during s<sup>d</sup> time each constable to have as full power to demand, receive, and for non payment to distraine on y<sup>e</sup> estate or persons of such as refuse or neglect to pay, as they had any time of their constableness, and all persons to be aiding to them, if required, as on penalty p<sup>r</sup> law provided. And upon notice given to y<sup>e</sup> new constables of their going to seize any estate, or y<sup>e</sup> person of any, for non payment of their rate, they are to be present to endeavour to keepe y<sup>e</sup> peace and to prevent riots or tumults.

The better to enable the constables in gathering in & distraining for s<sup>d</sup> rates, it is ordered by this Court, that every constable have a warrant signed by the Governor, to impower each constable for receiving the rates and for distraining of y<sup>e</sup> estate or persons of such as shall neglect or refuse to pay the same, as p<sup>r</sup> order of this Court hath beene or shall be provided. It is also ordered, that if any constable seize the person of any for non payment of his or their rate, upon s<sup>d</sup> constables giving under their hand to y<sup>e</sup> goal keeper of the county that they have seized such person or persons according to y<sup>e</sup> order of this Court, & also signifying under their hands how much such person [is] seized for, that shall be sufficient order & warrant for said goal keeper to receive such person or psons, & keepe them as prisoners untill they have discharged the same with charges and fees.

Whereas some have moved to this Court that y<sup>e</sup> reason why many have not paid, is because of their being altogether uncapable to procure [meanes] to pay their money part of y<sup>e</sup> rate, or y<sup>e</sup> very particuler species [that y<sup>e</sup>] former orders of this Court requires, — the better to quiet and satisfie such, it is ordered by this Court, that if any person tender y<sup>e</sup> species or [any of] them mentioned in y<sup>e</sup> former order of Court, or any other [such thing] y<sup>t</sup> y<sup>e</sup> constable [can] dispose of to satisfie y<sup>e</sup> eounty Treasurer, or to pay any of the debts of y<sup>e</sup> colony, the same shall be received; those [that] pay in specie to pay at y<sup>e</sup> price formerly ordered, & other pay [as before] at money price, onely for the money part to pay a sixth part [more to] make good y<sup>e</sup> waste & loss in turning y<sup>e</sup> same to money. This order to stand in force, any other or former order to y<sup>e</sup> contrary notwithstanding.

[\*125.]

\*It is also ordered, y<sup>t</sup> if any person refuse to show any estate that the constable may seize, any estate that by law may be seized for any other debt, and cause the same to be prised according to law at money price, and to take a sixth part more than y<sup>e</sup> money part of y<sup>r</sup> rate comes to, bear loss & waste in turning y<sup>e</sup> same to money as aforesaid.

1691.

2 June.

[HINCKLEY,  
GOVERNOR.]

PART II.

It is also ordered, that if any person or persons shall neglect or refuse to pay their rate as p<sup>r</sup> order of Court, or refuse to shew an estate, or y<sup>e</sup> constable can not come at y<sup>e</sup> estate of such person to seize and apprise as afores<sup>d</sup>, then s<sup>d</sup> constable shall seize such person or persons for their severall rates & deliver y<sup>m</sup> to y<sup>e</sup> county goaler, & attend the order of this Court concerning y<sup>e</sup> same.

It is also ordered, that after y<sup>e</sup> last of July next, soe much as y<sup>e</sup> constables shall not have paid to, or accounted for, with y<sup>e</sup> severall county Treasurers, they shall be lyable to pay out of their own estates as p<sup>r</sup> law in that case provided.

Ordered by this Court, that whatsoever pay any of y<sup>e</sup> county Treasur<sup>rs</sup> shall receive for y<sup>e</sup> countrey, & cannot dispose y<sup>e</sup> same in specie to answer the countreys debts, they shall turn y<sup>e</sup> same into money with as little loss and damage as may be.

Wheras this Court having ordered, that y<sup>e</sup> associates, or county magistrates, shall be chosen by y<sup>e</sup> freemen in y<sup>e</sup> respective counties, it is ordered, y<sup>t</sup> y<sup>e</sup> constable of each town forthwith warn y<sup>e</sup> freemen of his town to appear at y<sup>r</sup> county town, on y<sup>e</sup> last Wednesday of this instant June, to choose county magistrates, or y<sup>t</sup> they meet in their own town seasonably, before s<sup>d</sup> time, and put in their votes or proxys, which are to be sealed up before y<sup>e</sup> freemen & sent in to y<sup>e</sup> county town on y<sup>e</sup> said Wednesday, by such persons as they shall choose; at which time y<sup>e</sup> magistrates y<sup>t</sup> live in y<sup>e</sup> county shall appear and open said votes, and such as have most votes to be declared county magistrates for y<sup>e</sup> ensuing year: three for y<sup>e</sup> county of Plimouth, two for the county of Barnstable, & three for y<sup>e</sup> county of Bristol, which magistrates shall, with all convenient speed, give said county magistrates their oaths, in which choice s<sup>d</sup> freemen are to have speciall regard to choose in such towns where they are most wanted & may be capable to do most service.

Ordered, that every male person in this colony of sixteene years old & upward, of what rank or quality soever, be always provided with four pound of bullets fit for the bore of his gun, and all other am<sup>n</sup>ition, armes, & accoutrements, according to y<sup>e</sup> law in our printed book.

\*Whereas, on the motion of Barnabas Lothrop, Esq<sup>r</sup>, in behalf of his sister, Elizabeth Williams, relating to her yearly maintainance formerly ordered by the Gen<sup>l</sup> Court to be paid unto her by Cap<sup>t</sup> John Williams, her husband, this Court resolve, that y<sup>e</sup> tryall of that case doth now properly belong to a county Court.

[\*126.]

At y<sup>e</sup> request of Major William Bradford, that y<sup>e</sup> Generall Court would grant him a tract of land in or about y<sup>e</sup> town of Dartmouth, formerly taken in execution for a fine due to y<sup>e</sup> colony from Zachariah Allin, this Court grant the colonies right to said land to y<sup>e</sup> said Major Bradford, his heirs, &c.

1691. *At their Ma<sup>ties</sup> Generall Court held at Plimouth the first Tuesday of July, 1691.*

7 July.

[HINCKLEY,  
GOVERNOR.]  
PART II.

BEFORE Thomas Hinckley, Esq <sup>t</sup> , Gov <sup>r</sup> ,	Barnabas Lothrop,
Willi <sup>m</sup> Bradford, Esq <sup>t</sup> , Dep <sup>t</sup> Govern <sup>r</sup> ,	John Thacher,
John Freeman,	John Walley, &
Daniell Smith,	John Cushing,

Ass.

The Deputies y<sup>t</sup> appeared & served at s<sup>d</sup> Court were these following, viz<sup>t</sup>: —

John Bradford,	Cap <sup>t</sup> Ju. <sup>o</sup> Gorham,
Isaac Cushman,	John Miller,
John Wadsworth,	Cap <sup>t</sup> Thomas,
Edward Southworth,	Leiv <sup>t</sup> Little,
Sam <sup>l</sup> Clapp,	Cap <sup>t</sup> Sparrow,
Benjamin Stetson,	Thomas Pain, Jun <sup>r</sup> ,
Cap <sup>t</sup> Thomas Tupper,	Josiah Edson,
Elisha Bourne,	Isaac Howland,
John Hall,	William Throope,
John Hathaway,	Simon Rouse,
M <sup>r</sup> Christoph <sup>r</sup> Sanders,	Aaron Barlow,
John Woodcock,	John Robinson.

**O**RDERED, that y<sup>e</sup> present letter drawn up & directed to his excellency, y<sup>e</sup> Govern<sup>r</sup> of New York, be forthwith sent to him as y<sup>e</sup> mind of this Court.

Ordered, that a warrant be forthwith sent to y<sup>e</sup> town of Dartmouth, to warn y<sup>e</sup> inhabitants of y<sup>e</sup> town to meet together to hear y<sup>e</sup> orders of y<sup>e</sup> Generall Court, as likewise to choose constables & other town officers according to former usage.

Wheras Cap<sup>t</sup> Thomas, Leiv<sup>t</sup> Morton, & Cap<sup>t</sup> Hayward were chosen county magistrates, for y<sup>e</sup> county of Plimouth;

Cap<sup>t</sup> Sparrow and M<sup>r</sup> Stephen Skeff, chosen for y<sup>e</sup> county of Barnstable;

And Cap<sup>t</sup> Leonard, M<sup>r</sup> Joseph Church, & Cap<sup>t</sup> Pope, chosen for y<sup>e</sup> county of Bristoll;

And some freemen in some of y<sup>e</sup> towns had not so particular oppertunity for choice as might have been, yet y<sup>e</sup> persons chosen in y<sup>e</sup> severall counties, being generally well accepted by the towns, are approved by this Court, and



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7 July.  
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 GOVERNOR.]  
 PART II.  
 [\*127.]

are hereby impowered, taking their oaths to act [in] y<sup>e</sup> place of county magistrates for y<sup>e</sup> ensuing year.

\*In answer to y<sup>e</sup> petition of y<sup>e</sup> constables of Swansey, it is ordered by this Court, that y<sup>e</sup> marshall of y<sup>e</sup> county of Bristoll have a warrant directed to him to require and impower him to collect & gather in y<sup>e</sup> rates of y<sup>e</sup> town of Swansey, y<sup>t</sup> are or should have been made for payment of souldiers & debts of y<sup>e</sup> colony, and he to attend such orders of Court as are for constables in y<sup>t</sup> case provided, & that he have meet allowance from y<sup>e</sup> county Treasurer for so doing, & y<sup>e</sup> charge afterwards to be layd where y<sup>e</sup> fault hath been that hath occasioned y<sup>e</sup> trouble.

Ordered by this Court, y<sup>t</sup> y<sup>e</sup> last Wednesday of this instant be kept & observed by all y<sup>e</sup> inhabitants of this colony as a day of publique fasting and prayer, &c.



# GENERAL INDEX.



# GENERAL INDEX.

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